

**CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**

Marian Brady 1st Ward
Linda Atkins 2nd Ward
Mike Newman 3rd Ward
Melinda Ciarabellini 4th Ward
Lance Madsen 5th Ward



Frank J. Jäger, Mayor

**REGULAR MEETING
TUESDAY, JUNE 7, 2011
CLOSED SESSION 5:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501**

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with labor negotiators

Agency designated representatives: Gary M. Bird for City of Eureka
Employee organization: Eureka Firefighters' Local #652 (EFL) and Eureka Fire Officers Local (EFOL).
Pursuant to California Government Code Section 54957.6

C. Conference with legal counsel – existing litigation

City v. Floyd Squires (Humboldt Co. Superior Court No. CV090191)
Pursuant to California Government Code Section 54956.9(a)

D. Conference with legal counsel – existing litigation

City v. Floyd Squires (Humboldt Co. Superior Court No. DR1000894)
Pursuant to California Government Code Section 54956.9(a)

E. Conference with legal counsel – existing litigation

Squires vs. City et al. (Humboldt Co. Superior Court No. DR100894)
Pursuant to California Government Code Section 54956.9(a)

F. Conference with legal counsel – existing litigation

City vs. Squires (Humboldt Co. Superior Court No. DR110040/A131441)
Pursuant to California Government Code Section 54956.9(a)

REGULAR SESSION – 6:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Closure of Local State Parks

Presentation of Proclamations: United States Army Week June 11-17, 2011

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

BOARD/COMMISSION REPORTS

PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Pursuant to City Council Resolution No. 2011-22, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. The public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

1. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Pursuant to City Council Resolution 2011-22, if a member of the public would like an item on the Consent Calendar pulled and discussed separately, the request shall be made to a Councilmember prior to the meeting. Unless a specific request is made by a Councilmember, the Consent Calendar will not be read. There will be no separate discussion of these items.*

2. Council meeting minutes.
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of May 3, 2011 and the special Council/Redevelopment Agency Board meeting minutes of April 28, 2011 and May 5, 2011 as submitted.
(City Clerk)
3. Elk River Wastewater Treatment Plant Bio-Solids Project bid No. 2011-08
Recommendation: 1. Accept Elk River WWTP Bio-Solids Project; and
2. Authorize the filing of a "Notice of Completion" at the Office of the County Recorder.
(Public Works)
4. Cal EMA Reimbursement
Recommendation: Adopt a Resolution of the City Council designating specific staff to act as the "Applicant Agent" representing the City of Eureka for purposes of Cal EMA reimbursement and cost recovery following disaster events.
(Fire)
5. Removal of 2-Hour Parking Time
Recommendation: Adopt a Resolution of the City Council removing a 2-hour parking restriction on "E", "F", and "G" Streets between 7th and 8th Streets, and on 8th Street between "F" and "H" Streets.
(City Engineer)
6. All Way Stop Sign at 2nd & "C" Street
Recommendation: Adopt a Resolution of the City Council adding Section 22.160.1 to Resolution 5408 to all placement of All-Way Stop signs on "C" Street at Second Street.
(City Engineer)
7. CalPERS Contract Amendment
Recommendation: Adopt a Resolution of the City Council "Intention to Approve a Contract Amendment with CalPERS".
(Personnel)
8. PALCO Marsh Enhancement Project Phase 1A Grant Funding
Recommendation: 1. Accept and appropriate \$350,000 in Environmental Enhancement and Mitigation Program (EEMP grant funds for PALCO Marsh Enhancement Project Phase 1A; and

2. Accept and appropriate \$75,000 in North American Wetlands Conservation Act (NAWCA) Grant funds for PALCO Marsh Enhancement Project Phase 1A.
(Community Development)

9. Old Carson Mill Site Remediation Project – Bid No. 2011-10

- Recommendation:
1. Declare Northcoast Environmental Construction, Inc., the low bidder on the Old Carson mill Site Remediation Project; and
 2. Award Bid No. 2011-10 to Northcoast Environmental construction, Inc., for the amount of \$100,735.00 and approve \$120,000 for the cleanup contract, which includes a contingency of approximately 20%; and
 3. Authorize staff to execute a professional services agreement with SHN Consulting Engineers & Geologists for Services during Construction for a total not-to-exceed amount of \$25,000; and
 4. Authorize payment of project-related laboratory analytical fees to North Coast Laboratories for a total not-to-exceed amount of \$15,000.
- (City Engineer)

10. Wastewater Facilities Plan – Phase 3

- Recommendation:
- Authorize the transfer of \$245,000 of wastewater funds currently assigned to the Wastewater Facilities Plan Phase 2 project into the Phase 3 project, and authorize staff to execute a new contract with Brown and Caldwell Consulting Engineers for Phase 3 of the Wastewater Facilities Plan in an amount not to exceed \$245,000
- (City Engineer)

11. Purchase of Replacement Wastewater Treatment Plant Blower

- Recommendation:
- Approve the purchase of the Lamson Model 518 Multistage Centrifugal Air Blower in the amount of \$27,969.86.
- (Public Works)

12. Purchase one (1) 2012 Ford Escape 4WD

- Recommendation:
1. Approve purchase of 2012 Ford Escape; and
 2. Award bid to the lowest responsive bidder, Harper Motors, in the amount of \$27,378.65.
- (Public Works)

13. Centerline Striping 2011 Bid No. 2011-16

Recommendation: 1. Declare Sierra Traffic Marking Inc., the low bidder for the Centerline Striping 2011 Project; and
2. Award Bid No. 2011-16 to Sierra Traffic markings Inc. for the amount of \$9,823.50 and approved \$15,000 for construction, allowing the City to paint additional streets in need of repainting.

(City Engineer)

14. Mayor's appointments to boards, commissions and committees.

Recommendation: Approve the Mayor's appointments to boards, commissions, and committees with the following term expirations dates:

Housing Advisory Board	Appoint Jim Snow	01/01/2015
Transportation Safety Commission:	Appoint Brad Albee	01/01/2013

ORDINANCES/RESOLUTIONS

REPORTS/ACTION ITEMS

15. 2011/12 Budget

Recommendation: 1. Receive a brief report on the 2011/12 Fiscal Year Budget; and
2. Establish Budget Study Session dates(s) time to receive a detail overview of the 2011-12 Budget document.

(Finance Director)

16. Sequoia Park Zoo Prop 84 Nature Education Facilities Grant "Watershed Heroes"

Recommendation: Accept "Watershed Heroes" exhibit from Sequoia Park Zoo Foundation upon completion.

(Public Works)

17. Earthquake Damage Repair

Recommendation: Appropriate funds for Earthquake Damage Repairs in the amount of \$1,040,574 with expected 82.5% coverage from the California Emergency Management Agency.

(Public Works)

18. Fee Waiver Request – North Coast Big Brothers, Big Sisters

- Recommendation:
1. Deny request for Adorni facility fee waiver from the North Coast Big Sisters Big Brothers Organization as per Fee Waiver Request Policy No. 1.76; or
 2. Reinstate the Non-Profit 50% discount in place prior to the adoption of the 2010/11 Budget for this event only; or
 3. Require even holders to only pay for “hard costs”, i.e. actual staff time and supplies for the event estimated at \$225.00.

(City Manager)

CITY MANAGER/EXECUTIVE DIRECTOR’S REPORTS

Public Safety Report – Eureka Fire Department

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
 1. We may disagree, but we will be respectful of one another.
 2. All comments will be directed to the issue at hand.
 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

April 28, 2011

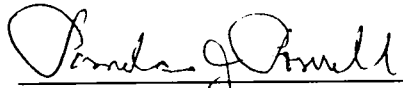
The City Council/Redevelopment Agency of the City of Eureka met in SPECIAL Session on the above date, 9:00 A.M. Open Session, at Room 207, City Hall, 531 "K" Street, Eureka, CA.

PRESIDING: MAYOR JÄGER,

PRESENT: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN


ABSENT:

MINUTES PREPARED BY:



Pamela J. Powell
City Clerk

COUNCIL APPROVAL ACKNOWLEDGED:



Frank F. Jäger
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 28, 2011

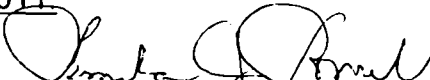
1. SUBJECT: Mayor and Council to meet in a facilitated workshop format to begin the process to develop agreements on project outcomes for strategic visioning.

ACTION: No action

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the seal of the City of Eureka on May 10,
2011



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 28, 2011

SUBJECT: Public Comment


The following individuals addressed the Council:

Richard Twiddy, Eureka

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

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2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 28, 2011.

SUBJECT: ADJOURNMENT

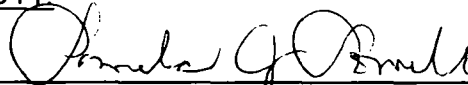
ACTION:

Without objection, the meeting was adjourned at 10:35 A.M.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, Interim City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

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2011



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

May 3, 2011


The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:00 P.M. Closed Session, 6:00 P.M. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR JÄGER

PRESENT: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN

ABSENT: NONE

MINUTES PREPARED BY:


PAMELA J. POWELL
City Clerk

COUNCIL APPROVAL ACKNOWLEDGED:

FRANK JÄGER
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Public comment prior to closed session

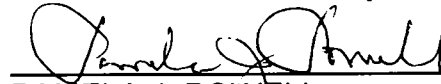
ACTION:

No one expressed an interest in addressing the Council at this time.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

Conference with legal counsel-anticipated litigation
Significant exposure to litigation: one case.

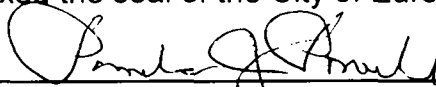
Conference with real property negotiators
Property: APN 009-044-005 (Lot adjacent to Winzler Child Center)
Agency negotiator: David W. Tyson for the City of Eureka
Negotiating Parties: Eureka City Schools
Under negotiation: Price, terms and conditions

Upon reconvening to Open Session, it was announced that there were no final actions to report.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item Closed Session

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Mayor's announcements

ACTION:


Mayor JÄGER presented a proclamation for Thursday May 5th "National Day of Prayer" and to Mark Santanos and Dustin Robarto for National Association of Letter Carriers Annual Food Drive Day..

Councilmember Madsen presented a proclamation on behalf of Mayor Jager to Marge Custis for Older Americans Month – Gray Matters.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Council reports / City-related travel report

ACTION:


Councilmember Brady provided a report regarding the Healy Building.

Councilmember Madsen provided a report regarding the Eureka Police Department and his positive contact with them regarding a neighborhood problem.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Public Hearing – Resolution Confirming and Ordering Special Assessments for Unpaid Garbage and Recycling Collection Fees.

ACTION:

Project Manager, Miles Slattery provided a report.

The public hearing was opened at 6:29 P.M. The following individuals addressed the council regarding this subject matter:

Sean Hardin, Eureka
Unknown, Eureka

The public hearing was closed at 6:33 P.M.

Council adopted Resolution No. 2011-25 of the Eureka City Council providing for collection of fees.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Atkins, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

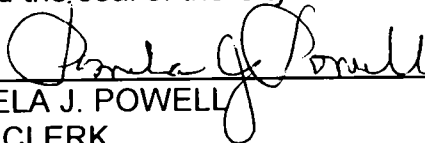
Agenda Item__1

MINUTE ORDER, May 3, 2011
ITEM: 1
PAGE: 2

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept. Public Works

Agenda Item 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Public comment period

ACTION: The following individuals addressed the council at this time:

Christopher Holmquist, Eureka would like the Council's representative to the HWMA Board to vote no on the recycling contract being awarded to Willits Recycling.

Andrew Shannon, urge the Council to consider jobs when considering recycling contracts.

Dennis Scott, Eureka reported on recent activity at the Eureka Police Department.

Daniel Pearce, McKinleyville, presented the Council with information regarding the bay and would like the Council to take a stand against the killing of dogs and cats.

Dan Hienmen and Randy Hansen of Express Personnel addressed the council on the impacts of awarding the recycling contract to Willits Recycling.

Tina Garson, requested that the Council reconsider outsourcing the jobs due to the awarding of the recycling contract to Willits Recycling.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Council meeting minutes.

ACTION:

Council approved the regular Council/Agency meeting minutes of April 5, 2011 and the special Council/Agency meeting minutes of March 17, 2011 as submitted.

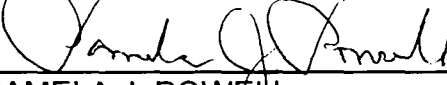
Adopted on motion by Councilmember Madsen , seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept. City Clerk

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Bike to Work Day Rally

ACTION:

Council sponsored Bike to Work Day rally on Thursday, May 19, 2011 at the Old Town Gazebo.


Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Purchase of Ballistic Vests

ACTION:

Council accepted the bid from Broese's Uniform of \$30,396.50 for the purchase of (26) ballistic vests.

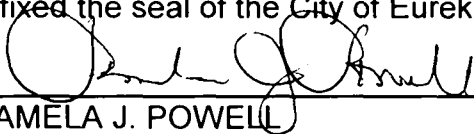
Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept. City Attorney

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Redwood Coast Montessori School Use Agreement Extension and Fee Waiver Request.

ACTION:

Council authorized a one year extension of the Use Agreement for the Cooper Gulch Recreational Building with Redwood Coast Montessori School and denied Redwood Coast Montessori School's request to waive the zone reclassification fee.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini , and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

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PAMELA J. POWELL
CITY CLERK

Originating Dept. Engineering

Agenda Item 6

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Integrated Pesticide, Herbicide and Fertilizer Management Plan

ACTION:

Council adopted the Integrated Pesticide, Herbicide and Fertilizer Management Plan guidelines for an environmentally sensitive approach to pest management for the City's Park Division.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini , and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept. Public Works

Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Medical Cannabis Ordinance

ACTION:

Assistant Planner Kristen Goetz provided a report. The following individuals addressed the council regarding this subject matter:

Daniel Pearce

Council waived reading, read by Title only and adopted, Bill No. 835- C.S. Ordinance No. 768-C.S. an ordinance of the City of Eureka amending title 15,Chapter 158 Medical Cannabis: Cultivation, Processing and Distribution.

Adopted on motion by Councilmember Atkins, seconded by Councilmember Madsen, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Appointment of Representative to the Humboldt Bay Municipal Water District's Water Task Force

ACTION:

City Manager, David Tyson provided a report. No one from the public addressed the council regarding this subject matter.

Council appointed Councilmember Madsen as the representative to the Humboldt Bay Municipal Water District's Water Task Force and Councilmember Brady as the alternate.

Adopted on motion by Councilmember Ciarabellini, seconded by Councilmember Newman, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager

Agenda Item 9

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Redistricting Commission Hearings

ACTION:

Councilmember Newman provided a report. No one from the public addressed the council regarding this subject matter.

Council authorized the Mayor to execute a letter to the Citizens Redistricting Commission requesting a hearing on the redistricting process be held on the North Coast and to offer to the citizens Redistricting Commission the use of a City venue at no charge for the purpose of holding the hearing.

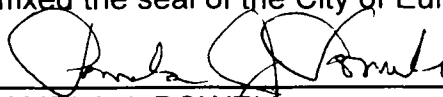
Adopted on motion by Councilmember Madsen, seconded by Councilmember Atkins, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: City Manager/Executive Director's reports

ACTION:

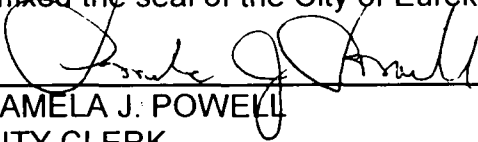
City Manager Tyson provided information regarding the following:

- Interim Fire Chief Bill Gillespie provided a monthly report from the Eureka Fire Department.
- A request from the County of Humboldt Planning department to present to Council a review of their multi-family rezoning program and an explanation of the re-zoning site selection process. Council directed staff to place this item on the June 7th agenda.
- Provided the Council with the proposed Budget Calendar.
- The City of Eureka received a Standards and Poor Rating of AA-.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 3, 2011.

SUBJECT: Adjournment

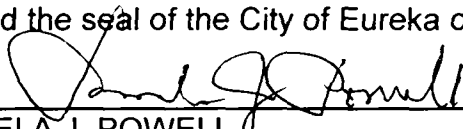
ACTION:

Without objection, the meeting was adjourned at 7:23 P.M.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 9, 2011.



PAMELA J. POWELL
CITY CLERK

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

May 5, 2011

The City Council/Redevelopment Agency of the City of Eureka met in SPECIAL Session on the above date, 9:05 A.M. Open Session, at the Bay Room, #1 Marina Way, Eureka, CA.

PRESIDING: APPOINTED MAYOR PRO-TEM ATKINS AND MAYOR JÄGER,

PRESENT: BRADY, ATKINS, NEWMAN, CIARABELLINI

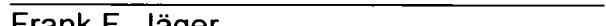
ABSENT: MADSEN

MINUTES PREPARED BY:



Pamela J. Powell
City Clerk

COUNCIL APPROVAL ACKNOWLEDGED:


Frank F. Jäger
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 5, 2011

SUBJECT: Mayor Pro Tem for the Meeting of May 5, 2011


ACTION:

City Clerk Pam Powell opened the meeting due to the absence of Mayor Jager and Mayor Pro-Tem Madsen. By consensus, Council appointed Councilmember Atkins to serve in the absence of Mayor Jager. Mayor Jager arrived to take over the meeting a 9:15.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the seal of the City of Eureka on May 10,
2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item N/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 5, 2011

SUBJECT: Strategic Visioning Project


ACTION:

Council met with Staff in a facilitated workshop format to develop agreements on project outcomes and process for the Strategic Visioning project.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the seal of the City of Eureka on May 10,
2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 5, 2011

SUBJECT: Public Comment

ACTION: The following individuals addressed the Council regarding the subject matter as listed on the agenda.

Dick Twiddy, Eureka

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 10, 2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item N/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 5, 2011.

SUBJECT: ADJOURNMENT


ACTION:

Without objection, the meeting was adjourned at 10:05 A.M.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, Interim City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the seal of the City of Eureka on May 10,
2011.



PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item

AGENDA SUMMARY**RE:** Elk River Wastewater Treatment Plant Bio-Solids Project Bid No. 2011-08**FOR AGENDA DATE:** June 7, 2011**AGENDA ITEM NO.:**3**RECOMMENDATION:**

1. Accept Elk River WWTP Bio-Solids Project.
2. Authorize the filing of a "Notice Of Completion" at the Office of the County Recorder

SUMMARY OF THE ISSUE:

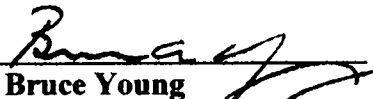
Wastewater funds were utilized for the Elk River WWTP Bio-Solids Project which provided for needed maintenance of the Facultative Sludge Lagoons at the WWTP. The project included mobilization and demobilization, solids processing, transport and disposal. The project helped reduce the inventory of digested sludge at the facility. This project was brought before Council on January 4, 2011, and awarded to Synagro Technologies Inc. for the project bid amount of \$213,031 plus \$1,900 contingency for lab testing if needed, for a total budget of \$214,931.

Staff has determined that the work specified in the contract has been completed in substantial conformance with the Plans and Specifications. Therefore, staff recommends that Council accept this project and authorize the filing of a "Notice of Completion" at the Office of the County Recorder.

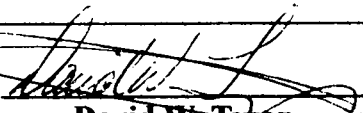
FISCAL IMPACT:

Expenditures: \$214,931 from account 510-44430-3165 in 2010/11 budget

DH SIGN:


Bruce Young
 Public Works Director

CM SIGN:


David W. Tyson
 City Manager

REVIEWED BY:

City Attorney
 Finance

DATE:6-1-11**INITIALS:**PLR**Council Action:**

Ordinance No. _____

Resolution No. _____

AGENDA SUMMARY**RE:** Cal EMA Reimbursement**FOR AGENDA DATE:** June 7, 2011**AGENDA ITEM No.:**

4

RECOMMENDATION:

1. Adopt a resolution designating specific staff to act as the "Applicant Agent" representing the City of Eureka for purposes of Cal EMA reimbursement and cost recovery following disaster events.

SUMMARY:

March 11, 2011 saw the west coast of the United States placed under a Tsunami Warning in response to the Hondshu earthquake in Japan. Locally, the County and some local affected cities, including the City of Eureka, activated their respective Emergency Operations Centers (EOC) and brought back off duty personnel for pre-tsunami preparation and to be in place in the event of emergency response. Though most overhead staff were salaried personnel, numerous fire department personnel that returned to duty were on overtime.

The California Emergency Management Agency (Cal EMA) assists with cost reimbursement for disasters within the State of California. From our recent tsunami event, Humboldt County was one of

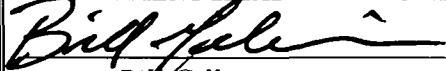
ATTACHMENTS:

Resolution
Cal EMA Form 130

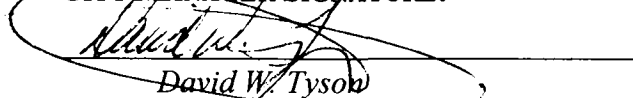
prepared by:

Continued page 2

FISCAL IMPACT: None with this action.

DEPARTMENT HEAD SIGNATURE:


Bill Gillespie
Interim Fire Chief

CITY MANAGER SIGNATURE:


David W. Tyson
City Manager

REVIEWED BY:

Assistant City Manager
City Attorney
Finance

DATE:

INITIALS:

Council Action:

Ordinance No. _____

Resolution No. _____

RE: Cal EMA Reimbursement

FOR AGENDA DATE: JUNE 7, 2011

AGENDA ITEM NO.:

Page 2

SUMMARY (continued):

six coastal counties that has been designated to receive reimbursement for qualifying expenditures. Staff is working with Cal EMA to identify qualifying costs and allowable reimbursement for activities such as overtime expenditure and qualifying equipment usage.

One requirement of Cal EMA is the resolution by Council designating the Applicant Agent to act on behalf of the City of Eureka during disaster recovery and reimbursement activities. Attached is a resolution designating the following as Applicant Agents for the City of Eureka:

Paul Rodrigues, Finance Director

Or

David Tyson, City Manager

Or

Mike Knight, Assistant City Manager

Upon passage by resolution of the designation of the Applicant Agent, Cal EMA Form 130 receives Council signature and affirmation by the City Clerk and shall then be filed with Cal EMA. Completion and filing of Form 130 then allows Cal EMA to precede with current disaster reimbursement activities, and remains in effect for future disaster activities subject to Cal EMA action. Any future changes to the Applicant Agent status can be changed through Cal EMA by official letter from the City of Eureka.

Passage of the resolution and submittal of Cal EMA Form 130 poses no cost.

RESOLUTION NO. 2011-

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EUREKA DESIGNATING AUTHORIZED APPLICANT AGENTS**

WHEREAS, the west coast of the United States fell under a Tsunami Warning issued March 11, 2011 in response to the Hondshu Earthquake in Japan and;

WHEREAS, the City of Eureka activated its EOC on March 11, 2011 due to the threat of Tsunami, and;

WHEREAS, Staff and personnel returned to duty in preparation for the Tsunami event, with subsequent costs incurred by the City of Eureka, and;

WHEREAS, the California Emergency Management Agency (Cal EMA) is working with the City of Eureka for potential disaster reimbursement of qualifying costs, and;

WHEREAS, Cal EMA requires that the City of Eureka designate authorized Applicant Agent(s) to act on behalf of the City of Eureka for this and future disasters, and;

WHEREAS, Cal EMA requires that such designation of authorized Applicant Agent(s) shall be submitted to Cal EMA for any disaster reimbursement for qualifying costs to be paid to the City of Eureka.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, that

Paul Rodrigues, Finance Director

Or

David Tyson, City Manager

OR

Mike Knight, Assistant City Manager

Is here by authorized to execute, for and on behalf of the City of Eureka, a public entity established under the laws of the State of California, this application and to file in the Office of the California Emergency Management Agency for the purpose of obtaining certain financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the Natural Disaster Assistance Act.

THAT the City of Eureka, a public entity established under the laws of the State of California hereby authorizes its agent(s) to provide to the California Emergency Management Agency on all matters pertaining to such state disaster assistance the assurances and agreements required.

RESOLUTION NO. 2011-
Page 2

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the _____ day of _____, 2011 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

Frank J. Jäger, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

David W. Tyson, City Manager

William R. Bragg, Interim City Attorney

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and in behalf of the _____, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the _____, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the State Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

☐ This is a universal resolution and is effective for all open and future disasters.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____.

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

resolution passed and approved by the _____ of the _____
(Governing body) (Name of Applicant)

on the _____ day of _____, 20____.

(Signature)

(Title)

AGENDA SUMMARY

RE: REMOVAL OF 2-HOUR PARKING TIME LIMIT ON "E", "F", & "G" STREETS BETWEEN 7TH & 8TH STREETS, AND ON 8TH STREET BETWEEN "F" & "H" STREETS

FOR AGENDA DATE: JUNE 7, 2011

AGENDA ITEM NO.:

5

RECOMMENDATION:

Council adopt resolution removing a 2-hour parking restriction on "E", "F", and "G" Streets between 7th and 8th Streets, and on 8th Street between "F" and "H" Streets.

SUMMARY:

At their regular meeting of May 12, 2011, the members of the Eureka Parking Place Commission voted unanimously to recommend that several blocks of restricted 2-hour on-street parking (per attached map) be returned to all day parking use. This recommendation was made at the request of Eureka Main Street due to changes in business type and will be consistent with the surrounding parking time zones. All day parking where turnover is not needed will eliminate the shuffling of vehicles by motorists wanting to park longer than two hours at a time.

Attached for Council's consideration is a resolution eliminating the 2-hour parking zones along "E", "F", and "G" Streets, between 7th and 8th Streets, and along 8th Street between "F" and "H" Streets along with a map, and an excerpt from the May 12, 2011, Parking Place Commission minutes.

Prepared by: Sheila Parrott, Project Manager

FISCAL IMPACT:

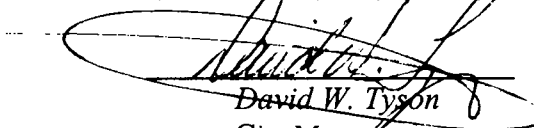
Elimination of the 2-hour parking zones will be accomplished through the removal of existing signs and will be performed under the existing Public Works budget.

DEPARTMENT HEAD SIGNATURE:



Kurt Gierlich
City Engineer

CITY MANAGER SIGNATURE:



David W. Tyson
City Manager

REVIEWED BY:

City Attorney

Finance

Public Works

DATE:

5/19/11

5/23/11

INITIALS:

PR

BY

Council Action:

Ordinance No. _____

Resolution No. _____

**PARKING PLACE COMMISSION
MINUTES OF May 12, 2011
Council Chambers, EUREKA CITY HALL**

VI. New Business

Request for conversion of on-street, 2 hour parking zones to all day parking, on E, F, & G Streets between 7th & 8th Streets, and on 8th Street between F & H Street for Eureka Main Street. See map attached. Original request letter passed out at meeting.

Request read by Chair as written.

Staff report indicates that the original request letter was passed out at the meeting, along with the map defining the location of the conversion request.

Staff met with Officer Zanotti regarding enforcement in that area and he was all for the change as it could help with enforcement.

Letters were sent out to all adjacent property owners and to those within a 1 block area. We received two calls regarding the letters and both calls were in favor of the change.

Staff supports the change.

Commissioner Fonseca notes one of the comments made in the letter had to do with this change reducing the cost of patrolling the area. He wondered if that would help with the parking enforcement for metered lots.

Staff responds by letting the Commission know that there is only one parking enforcement officer, who works part-time, so that the change would help for enforcement in other areas.

Applicant, Charlotte McDonald, speaks on behalf of Eureka Main Street. She thanks City Staff for all the help with parking in this area and their hard work. The whole area is really excited to see the all day parking come about.

Marian Brady, comments that this change came about because a business woman in that area made a comment how the all day parking was starting to negatively affect the businesses in the area. She believes this will help the area.

Commissioner Jones moves to approve; Commissioner Fonseca 2nd motion. Motion approved unanimously.

Motion will go before City Council to get final approval and then a work order to have the zones changed to all day parking will be put through. It may still be a month or so before zones are changed.

RESOLUTION NO.

**RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA
ELIMINATING 2-HOUR PARKING ZONES ON "E", "F", & "G" STREETS BETWEEN 7TH &
8TH STREETS, AND ON 8TH STREET BETWEEN "F" & "H" STREETS.**

BE IT RESOLVED by the Council of the City of Eureka that the parking of vehicles on "E", "F", and "G" Streets between 7th and 8th Streets and 8th Street between "F" and "H" Street be allowed all day.

The all day parking zone will be in effect following the removal of the 2-hour parking signs and enforced per the general provisions of the Eureka Municipal Code.

PASSED, APPROVED AND ADOPTED by the Council of the City of Eureka, County of Humboldt, State of California, on the _____ day of _____, 2011, by the following vote:

AYES: COUNCIL MEMBERS
NOES: COUNCIL MEMBERS
ABSENT: COUNCIL MEMBERS

ATTEST:

Pam Powell, City Clerk

MAYOR OF THE CITY OF EUREKA
Frank Jager

APPROVED AS TO FORM:

William Bragg, City Attorney

APPROVED AS TO ADMINISTRATION:

David W. Tyson, City Manager

AGENDA SUMMARY**RE: ALL WAY STOP AT SECOND AND "C" STREETS****FOR AGENDA DATE: JUNE 7, 2011****AGENDA ITEM No.:**

6

RECOMMENDATION:


Council adopt resolution adding Section 22.160.1 to Resolution 5408 to allow placement of ALL-WAY STOP signs on "C" Street at Second Street.

SUMMARY:

The Traffic/Signals Division of the Engineering Department has conducted a stop sign warrant analysis and although warrants are not met at this time, is recommending that all way stop signs be installed at the intersection of Second and "C" Streets. During the course of conducting traffic counts it was noted that confusion over right-of-way led to erratic driver behavior in nearly one in five vehicles entering the intersection. This along with the high volume of pedestrian traffic makes the all way stop appropriate for this location. Placement of the two additional stop signs will reduce driver confusion and improve traffic flow in this section of Old Town.

Section 71.15 of the Eureka Municipal Code provides that, "The Traffic Engineer shall have the power and duty to place and maintain, or cause to be placed and maintained, official traffic-control devices when and as required to make effective the provisions of this chapter." Resolution 5408 of the City Council has been used as a vehicle for adopting such regulations in the past.

Attached for Council's consideration are the traffic study and resolution containing the recommended changes.

Prepared by: Sheila Parrott, Project Manager 


FISCAL IMPACT:

The cost for installation of stop signs and markings is approximately \$500 and will be accomplished within the existing Public Works budget.

DEPARTMENT HEAD SIGNATURE:


Kurt Gierlich
City Engineer

CITY MANAGER SIGNATURE:


David W. Tyson
City Manager

REVIEWED BY:

City Attorney
Finance
Public Works

DATE:

5/19/11
5/23/11

INITIALS:

PR
BY

Council Action:

Ordinance No. _____

Resolution No. _____

RESOLUTION NO.

**RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA
ADDING SECTION 22.160.1 (SECOND AND "C" STREET) TO RESOLUTION 5408 PERTAINING
TO STOP INTERSECTIONS OTHER THAN STOPS AT THROUGH STREETS**

BE IT RESOLVED by the Council of the City of Eureka as follows:

Section 22.160.1 is hereby added to Resolution 5408 to read as follows:

"Section 22.160.1 "SECOND STREET AND "C" STREET INTERSECTION – at the
entrances thereto from Second Street and "C" Street

PASSED, APPROVED AND ADOPTED by the Council of the City of Eureka, County of Humboldt, State
of California, on the _____ day of _____, 2011, by the following vote:

AYES: COUNCIL MEMBERS
NOES: COUNCIL MEMBERS
ABSENT: COUNCIL MEMBERS

MAYOR OF THE CITY OF EUREKA
Frank Jager

ATTEST:

Pam Powell, City Clerk

APPROVED AS TO FORM:

William Bragg, City Attorney

APPROVED AS TO ADMINISTRATION:

David W. Tyson, City Manager

TRAFFIC SAFETY INVESTIGATION

SECOND STREET AT 'C' STREET

May 2011

This investigation was conducted, as directed by the City Engineer, as a result of inquiries from the Eureka Main Street organization, regarding the need for additional traffic control devices at the intersection of Second and 'C' Streets.

SECTION I. GENERAL

The intersection of Second and 'C' Streets is located in an area which is zoned "*Waterfront Commercial*". This area is a mix of retail, hotel, multi-family housing units, office, restaurants and light industrial use. On the north east corner is a restaurant with living spaces above it and on the northwest corner is a restaurant and hotel.

Second Street is 36.8 feet wide between curbs and is an east-west two-way local street with parking on both sides. 'C' Street is 42 feet wide between curbs and is a north-south two-way local street with parking on both sides and serves as a connector between Waterfront drive and 4th Street.

SECTION II. EXISTING TRAFFIC CONTROLS

The intersection of Second and 'C' Streets is currently controlled by stop signs on Second Street at 'C' Street. There are crosswalks on all four corners of the intersection of Second and 'C' Streets. There are 4 street lights at this intersection, one located on each corner; all four are rated at 70 Watts. In addition, 20 feet of red curb is painted on the north and south curb lines of Second Street both east and west of 'C' Street and on the west side of 'C' north of Second.

SECTION III. SIGHT DISTANCE

Sight distance is average at this location. There can be numerous cars parked on all four corners of the intersection during heightened shopping and dining times that can impact sight distance. This intersection also has substantial pedestrian traffic due to the proximity to the restaurants and retail area.

SECTION IV. COLLISION HISTORY

During the three year period 2008 - 2010, there has been 1 reported collision at this intersection. The one reported collision was a broadside collision in 2010. There were no reported pedestrian collisions during this time period.

SECTION V. TRAFFIC VOLUMES

Vehicular traffic in the area is generated primarily by residents and business users. Traffic counts taken in April of 2011 show the volume on Second Street is approximately 1,100 vehicles per day with 'C' Street averaging 1,140 vehicles per day. The peak traffic flow occurs between 11:00am and 1:00pm. There are approximately 2,200 vehicles entering this intersection from all directions on an average weekday. This area has a high amount of pedestrian and bicycle activity due to the proximity to restaurants, shopping, and also the residential nature of the area. A 1.5 hour pedestrian and traffic count was conducted from 11:45am to 1:15pm on May 6, 2011 and during this survey 138 pedestrians were counted.

SECTION VI **SPEED STUDIES**

A radar speed survey was attempted in March of 2011, although during a 45 minute period starting at 1:30pm only 16 vehicles of a required 200 were tracked. Vehicle speeds were then checked using our traffic counting hoses on 'C' Street south of Second Street in April of 2011 allowing us to survey for a longer period of time. The table below summarizes the results. The speed survey is attached at the end of this analysis.

'C' STREET SOUTH OF SECOND STREET

	<u>South Bound</u>	<u>North Bound</u>
Average Speed	16	16
High Speed	31-33	25-27
85 th % Speed	22	21
Speed Limit	25	25

SECTION VII **WARRANTS FOR TRAFFIC CONTROL DEVICES**

The installation of traffic control devices must be based upon a documented need for control. As an aid to documentation, warrants have been established. Warrants are defined as criteria for measures of need which are frequently expressed in the form of minimum numerical requirements, such as volume of vehicular or pedestrian traffic. These criteria serve as guidelines in deciding whether particular traffic control devices should be installed.

The City of Eureka uses a warrant analysis developed through the California Office of Traffic Safety for smaller municipalities and is shown in Section VIII. We also compare our results to the national warrants contained within the Manual on Uniform Traffic Control Devices that are generally used by most jurisdictions.

SECTION VIII **WARRANT ANALYSIS**

In this section the data obtained is analyzed to determine if additional traffic control devices are warranted.

Fifty points are possible with 28 points needed to justify control devices being placed.

	<u>Points</u>
1. Through Street	
a. Only one street a through street no	
b. Both streets are through streets no	
Maximum 5 points – If both streets are through streets	0
2. Accidents	
Two points are assigned for each accident susceptible to correction by four-way stop control during one full year prior to the investigation.	
Maximum 20 points - - 1 accident in 2010	2

Points

3.

Unusual Conditions

Where unusual conditions exist, such as a school, playground, steep hill, etc., points are assigned on the basis of engineering judgment.

Maximum 5 points – Pedestrians, Businesses, Sight Distance

5

4.

Volume

a. Data - four hour peak:

Major Approach- 'C' Street	435
Minor Approach- Second Street	<u>421</u>
Total Entering	856

b. Total entering volume must equal 2,000 vehicles for the four highest hours in an average day. **No**

c. Minimum side street volume must equal 600 vehicles during the same four-hour period. **No**

Points shall be assigned in accordance with the following tables.

Major Approach- 'C' Street

Four-Hour Volume

0-1400	0
1401-1700	1
1701-2000	2
2001-2300	3
2301-2600	4
2601-2900	5
2901-3200	4
3201-3500	3
3501-3800	2
3801-4100	1
4101-over	0

Major Approach Volume 435

0

Minor Approach- Second Street

600-800	1
801-1000	2
1001-1200	3
1201-1400	4
1401-1600	5
1601-1800	6
1801-2000	7
2001-2200	8
2201-2400	9
2401-over	10

Minor Approach Volume 421

0

5. **Volume Split** Points
- Four-way stops operate best where the minor approach volume and the major approach volume are nearly equal. Points shall be assigned in accordance with the following tables:

Twenty-four Hour
Volume Difference

0-300	5
301-600	4
601-900	3
901-1200	2
1201-1500	1
1501-over	0

Major less minor Approach - 1140-1102 = 38 5

Total Points **12**

Multi-Way stop warranted? (28 or more points) **NO**

SECTION IX. MUTCD MULTI-WAY STOP APPLICATION

Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with Multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The decision to install Multi-way stop control should be based on an engineering study. The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal. NO
- B. A crash problem, as indicated by 5 or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right- and left-turn collisions as well as right-angle collisions. NO (1)
- C. Minimum volumes:
 - 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and NO (99)

2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
NO (98)
(Only Vehicles Counted)
3. If the 85th-percentile approach speed of the major street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the above values.
NO (22mph)
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.
NO

SECTION X. RECOMMENDATION

On May 6, 2011 a 1 ½ hour pedestrian and traffic count was conducted from 11:45am to 1:15pm to determine the pedestrian usage of the Second and 'C' Streets intersection. During this survey 138 pedestrians were counted using the crosswalks of this intersection along with another 23 pedestrians crossing mid-block. In addition it was noted that 154 vehicles were counted entering the intersection from 'C' Street with 29 of these vehicles (19%) stopping at Second Street as though the intersection were controlled by a multi-way STOP. During this survey 5 "Near Misses" between vehicles in the intersection were witnessed.

In view of the fact that the Second and 'C' Streets intersection has a substantial amount of pedestrian traffic, that 19% of the vehicular traffic on 'C' Street treat the intersection as a multi-way stop, and with the number of near miss collisions that were witnessed during the pedestrian and traffic count, it is recommended that STOP signs be installed on 'C' Street at Second Street to create a multi-way stop. While the intersection did not meet the warrants in the guidelines, it is our recommendation due to factors stated above that a multi-way STOP is appropriate at this location.

With a multi-way STOP being installed at this intersection, an additional 20 feet of red curb will be painted on the 3 unpainted corners of Second Street as per city standards to increase the sight visibility for vehicles and pedestrians in the intersection.

APPENDIX

AERIAL PHOTO

COLLISION DIAGRAM

PEDESTRIAN COUNT

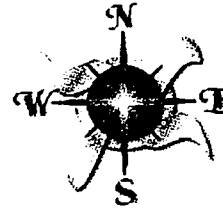
TRAFFIC COUNTS

SPEED SURVEY

COLLISION REPORT



Collision Diagram



2nd Street

STOP

O-
11/5/10
1559

STOP

Three Year Accident
Total

2008- 0
2009- 0
2010- 1

'C' Street

Legend

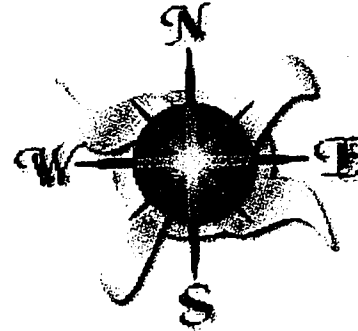
O- Property Damage

X- Injury Accident

__ / __ - Date and Time

2nd & C
Pedestrian &
Traffic Count

'C' Street



71

12 41 18
↓ ↓ ↓
← ↓ ↓

62

11 →
31 → STOP
20 →

Ped
22
49 32
35
Ped
Ped
Ped

STOP
← 36
← 30
← 53

119

Second Street

of Vehicles Treating 'C' as a STOP: 29
(18.8%)

of "Near Miss Collisions": 5

Traffic Entering Via 'C': 154

Traffic Entering Via Second: 181

Total Pedestrians: 138

Mid-Block Pedestrian Crossing: 23

14 36 33
↑ ↑ ↑

83

Date: 5/6/2011
Start Time: 11:45am
End Time: 1:15pm

City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

4/25/2011
2nd street east of C street

Start Time	25-Apr-11		Tue		Wed		Thu		Fri		Sat		Sun		Week	
	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB
12:00 AM	*	*	1	1	0	1	*	*	*	*	*	*	*	*	0	1
01:00	*	*	0	0	0	0	*	*	*	*	*	*	*	*	0	0
02:00	*	*	0	0	0	1	*	*	*	*	*	*	*	*	0	0
03:00	*	*	0	0	0	0	*	*	*	*	*	*	*	*	0	0
04:00	*	*	0	0	0	0	*	*	*	*	*	*	*	*	0	0
05:00	*	*	4	0	4	3	*	*	*	*	*	*	*	*	4	2
06:00	*	*	9	3	8	3	*	*	*	*	*	*	*	*	8	3
07:00	*	*	17	8	17	16	*	*	*	*	*	*	*	*	17	12
08:00	*	*	27	28	38	27	*	*	*	*	*	*	*	*	32	28
09:00	*	*	29	23	47	27	*	*	*	*	*	*	*	*	38	25
10:00	*	*	49	25	0	81	*	*	*	*	*	*	*	*	24	53
11:00	*	*	64	46	23	90	*	*	*	*	*	*	*	*	44	68
12:00 PM	*	*	70	48	76	50	*	*	*	*	*	*	*	*	73	49
01:00	*	*	83	62	*	*	*	*	*	*	*	*	*	*	83	62
02:00	*	*	63	53	*	*	*	*	*	*	*	*	*	*	63	53
03:00	*	*	70	51	*	*	*	*	*	*	*	*	*	*	70	51
04:00	70	39	54	41	*	*	*	*	*	*	*	*	*	*	62	40
05:00	51	34	78	31	*	*	*	*	*	*	*	*	*	*	64	32
06:00	37	25	62	0	*	*	*	*	*	*	*	*	*	*	50	12
07:00	28	16	40	3	*	*	*	*	*	*	*	*	*	*	34	10
08:00	12	15	17	8	*	*	*	*	*	*	*	*	*	*	14	12
09:00	1	2	11	8	*	*	*	*	*	*	*	*	*	*	6	5
10:00	7	4	7	3	*	*	*	*	*	*	*	*	*	*	7	4
11:00	1	3	6	2	*	*	*	*	*	*	*	*	*	*	4	2
Lane Day	207	138	761	444	213	299	0	0	0	0	0	0	0	0	697	524
	345		1205		512		0		0		0		0		1221	
AM Peak			11:00	11:00	09:00	11:00									11:00	11:00
Vol.			64	46	47	90									44	68
PM Peak	16:00	16:00	13:00	13:00	12:00	12:00									13:00	13:00
Vol.	70	39	83	62	76	50									83	62
Comb. Total	345		1205		512		0		0		0		0		1221	

City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

4/25/2011
2nd street west of C street

Start	25-Apr-11		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
Time	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB
12:00 AM	*	*	0	2	1	0	*	*	*	*	*	*	*	*	0	1
01:00	*	*	0	0	0	0	*	*	*	*	*	*	*	*	0	0
02:00	*	*	0	0	1	0	*	*	*	*	*	*	*	*	0	0
03:00	*	*	0	0	1	0	*	*	*	*	*	*	*	*	0	0
04:00	*	*	0	0	0	0	*	*	*	*	*	*	*	*	0	0
05:00	*	*	1	0	1	3	*	*	*	*	*	*	*	*	1	2
06:00	*	*	4	5	4	4	*	*	*	*	*	*	*	*	4	4
07:00	*	*	10	11	8	15	*	*	*	*	*	*	*	*	9	13
08:00	*	*	20	18	18	11	*	*	*	*	*	*	*	*	19	14
09:00	*	*	22	26	17	30	*	*	*	*	*	*	*	*	20	28
10:00	*	*	24	33	26	37	*	*	*	*	*	*	*	*	25	35
11:00	*	*	30	48	29	45	*	*	*	*	*	*	*	*	30	46
12:00 PM	*	*	35	49	48	50	*	*	*	*	*	*	*	*	42	50
01:00	*	*	43	52	*	*	*	*	*	*	*	*	*	*	43	52
02:00	*	*	33	40	*	*	*	*	*	*	*	*	*	*	33	40
03:00	*	*	28	48	*	*	*	*	*	*	*	*	*	*	28	48
04:00	24	43	39	38	*	*	*	*	*	*	*	*	*	*	32	40
05:00	23	36	18	33	*	*	*	*	*	*	*	*	*	*	20	34
06:00	12	20	14	15	*	*	*	*	*	*	*	*	*	*	13	18
07:00	8	14	8	15	*	*	*	*	*	*	*	*	*	*	8	14
08:00	9	6	5	11	*	*	*	*	*	*	*	*	*	*	7	8
09:00	1	3	4	3	*	*	*	*	*	*	*	*	*	*	2	3
10:00	2	3	2	2	*	*	*	*	*	*	*	*	*	*	2	2
11:00	3	0	1	2	*	*	*	*	*	*	*	*	*	*	2	1
Lane	82	125	341	451	154	195	0	0	0	0	0	0	0	0	340	453
Day	207		792		349		0		0		0		0		793	
AM Peak			11:00	11:00	11:00	11:00									11:00	11:00
Vol.			30	48	29	45									30	46
PM Peak	16:00	16:00	13:00	13:00	12:00	12:00									13:00	13:00
Vol.	24	43	43	52	48	50									43	52

Comb. Total 207 792 349 0 0 0 0 793

City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

4/25/2011
C street north of 2nd street

Start Time	25-Apr-11		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB
12:00 AM	*	*	5	2	3	4	*	*	*	*	*	*	*	*	4	3
01:00	*	*	6	2	1	11	*	*	*	*	*	*	*	*	4	6
02:00	*	*	1	0	0	2	*	*	*	*	*	*	*	*	0	1
03:00	*	*	3	1	1	0	*	*	*	*	*	*	*	*	2	0
04:00	*	*	4	2	0	1	*	*	*	*	*	*	*	*	2	2
05:00	*	*	7	0	10	5	*	*	*	*	*	*	*	*	8	2
06:00	*	*	14	2	22	3	*	*	*	*	*	*	*	*	18	2
07:00	*	*	20	7	31	8	*	*	*	*	*	*	*	*	26	8
08:00	*	*	16	17	32	25	*	*	*	*	*	*	*	*	24	21
09:00	*	*	16	19	29	35	*	*	*	*	*	*	*	*	22	27
10:00	*	*	44	24	33	34	*	*	*	*	*	*	*	*	38	29
11:00	*	*	48	45	60	32	*	*	*	*	*	*	*	*	54	38
12:00 PM	*	*	57	45	49	50	*	*	*	*	*	*	*	*	53	48
01:00	*	*	60	59	*	*	*	*	*	*	*	*	*	*	60	59
02:00	*	*	55	40	*	*	*	*	*	*	*	*	*	*	55	40
03:00	*	*	39	46	*	*	*	*	*	*	*	*	*	*	39	46
04:00	39	34	41	40	*	*	*	*	*	*	*	*	*	*	40	37
05:00	31	35	44	51	*	*	*	*	*	*	*	*	*	*	38	43
06:00	28	29	27	19	*	*	*	*	*	*	*	*	*	*	28	24
07:00	14	16	28	20	*	*	*	*	*	*	*	*	*	*	21	18
08:00	14	20	9	9	*	*	*	*	*	*	*	*	*	*	12	14
09:00	9	16	7	2	*	*	*	*	*	*	*	*	*	*	8	9
10:00	7	11	10	17	*	*	*	*	*	*	*	*	*	*	8	14
11:00	8	5	8	4	*	*	*	*	*	*	*	*	*	*	8	4
Lane	150	166	569	473	271	210	0	0	0	0	0	0	0	0	572	495
Day	316		1042		481		0		0		0		0		1067	
AM Peak			11:00	11:00	11:00	09:00									11:00	11:00
Vol.			48	45	60	35									54	38
PM Peak	16:00	17:00	13:00	13:00	12:00	12:00									13:00	13:00
Vol.	39	35	60	59	49	50									60	59

Comb. Total	316		1042		481		0		0		0		0		1067	
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City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

4/25/2011
C street south of 2nd street
Speed & Count collected at this location

Start Time	25-Apr-11		Tue		Wed		Thu		Fri		Sat		Sun		Week Average	
	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB
12:00 AM	*	*	3	7	5	3	*	*	*	*	*	*	*	*	4	5
01:00	*	*	3	8	9	1	*	*	*	*	*	*	*	*	6	4
02:00	*	*	0	1	3	0	*	*	*	*	*	*	*	*	2	0
03:00	*	*	1	2	1	1	*	*	*	*	*	*	*	*	1	2
04:00	*	*	2	4	1	0	*	*	*	*	*	*	*	*	2	2
05:00	*	*	3	6	3	6	*	*	*	*	*	*	*	*	3	6
06:00	*	*	7	18	4	21	*	*	*	*	*	*	*	*	6	20
07:00	*	*	17	18	14	37	*	*	*	*	*	*	*	*	16	28
08:00	*	*	25	34	25	23	*	*	*	*	*	*	*	*	25	28
09:00	*	*	37	35	40	24	*	*	*	*	*	*	*	*	38	30
10:00	*	*	36	41	39	44	*	*	*	*	*	*	*	*	38	42
11:00	*	*	54	69	45	69	*	*	*	*	*	*	*	*	50	69
12:00 PM	*	*	70	63	69	39	*	*	*	*	*	*	*	*	70	51
01:00	*	*	69	62	*	*	*	*	*	*	*	*	*	*	69	62
02:00	*	*	55	52	*	*	*	*	*	*	*	*	*	*	55	52
03:00	67	55	68	61	*	*	*	*	*	*	*	*	*	*	68	58
04:00	63	48	59	47	*	*	*	*	*	*	*	*	*	*	61	48
05:00	53	50	74	47	*	*	*	*	*	*	*	*	*	*	64	48
06:00	44	33	47	29	*	*	*	*	*	*	*	*	*	*	46	31
07:00	21	13	33	21	*	*	*	*	*	*	*	*	*	*	27	17
08:00	25	10	20	12	*	*	*	*	*	*	*	*	*	*	22	11
09:00	13	11	22	14	*	*	*	*	*	*	*	*	*	*	18	12
10:00	11	7	18	8	*	*	*	*	*	*	*	*	*	*	14	8
11:00	9	9	5	8	*	*	*	*	*	*	*	*	*	*	7	8
Lane	306	236	728	667	258	268	0	0	0	0	0	0	0	0	712	642
Day	542		1395		526		0		0		0		0		1354	
AM Peak			11:00	11:00	11:00	11:00									11:00	11:00
Vol.			54	69	45	69									50	69
PM Peak	15:00	15:00	17:00	12:00	12:00	12:00									12:00	13:00
Vol.	67	55	74	63	69	39									70	62
Comb. Total	542		1395		526		0		0		0		0		1354	

City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

Site Code: 4/25/2011

Station ID:

C street south of 2nd street

Speed/Count Survey

Latitude: 0' 0.000 Undefined

South Bound		1	4	7	10	13	16	19	22	25	28	31	34	37	40	Pace	Number
Start	Time	3	6	9	12	15	18	21	24	27	30	33	36	39	999	Speed	In Pace
04/26/11																	
	01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	16:00	3	0	1	4	12	14	11	12	0	1	1	0	0	0	59	13-22 41
	17:00	6	0	0	4	19	19	12	12	1	1	0	0	0	0	74	13-22 54
	18:00	6	0	2	4	10	12	7	5	1	0	0	0	0	0	47	12-21 31
Total		15	0	3	12	41	45	30	29	2	2	1	0	0	0	180	
Percent		8.3%	0.0%	1.7%	6.7%	22.8%	25.0%	16.7%	16.1%	1.1%	1.1%	0.6%	0.0%	0.0%	0.0%		

AM

Peak

Vol.

PM	17:00	18:00	16:00	17:00	17:00	17:00	16:00	17:00	16:00	16:00	15:00	17:00	17:00	17:00	17:00	17:00	17:00
Peak																	
Vol	6	2	4	19	19	19	12	12	12	1	1	1	1	1	1	1	74
Total	15	0	3	12	41	45	30	29	29	2	2	1	0	0	0	0	180
Percent	8.3%	0.0%	1.7%	6.7%	22.8%	25.0%	16.7%	16.1%	16.1%	1.1%	1.1%	0.6%	0.0%	0.0%	0.0%	0.0%	

15th Percentile : 12 MPH
50th Percentile : 17 MPH
85th Percentile : 22 MPH
95th Percentile : 24 MPH

10 MPH Pace Speed : 13-22 MPH
Number in Pace : 126
Percent in Pace : 70.0%
Number of Vehicles > 55 MPH : 0
Percent of Vehicles > 55 MPH : 0.0%
Mean Speed(Average) : 16 MPH

Stats

City of Eureka
Traffic Engineering
531 K Street
Eureka, CA 95501

Site Code: 4/25/2011

Station ID:

C street south of 2nd street

Speed/Count Survey

Latitude: 0' 0.000 Undefined

North Bound																		Pace		Number	
Start	Time	1	4	7	10	13	16	19	22	25	28	31	34	37	40	Total	Speed	in	Pace	Speed	in
04/26/11		3	6	9	12	15	18	21	24	27	30	33	36	39	42						
	01:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	02:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	03:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	04:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	05:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	06:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	07:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	08:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	09:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	10:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	11:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	12 PM	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	13:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	14:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	15:00	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	16:00	4	0	0	8	9	7	10	8	1	0	0	0	0	0	47	11-20	29			
	17:00	3	0	2	3	12	10	13	4	0	0	0	0	0	0	47	13-22	37			
	18:00	4	0	0	5	8	3	6	1	2	0	0	0	0	0	29	11-20	19			
Total		11	0	2	16	29	20	29	13	3	0	0	0	0	0	123					
Percent		8.9%	0.0%	1.6%	13.0%	23.6%	16.3%	23.6%	10.6%	2.4%	0.0%	0.0%	0.0%	0.0%	0.0%						

AM

Peak

Vol.

PM	16:00	17:00	16:00	17:00	17:00	17:00	18:00	16:00	18:00	16:00	16:00	123
Peak	4	2	8	12	10	20	2	8	2	0	0	47
Vol.	11	2	16	29	20	29	3	13	3	0	0	123
Percent	8.9%	0.0%	1.6%	23.6%	16.3%	23.6%	2.4%	10.6%	2.4%	0.0%	0.0%	

15th Percentile:

50th Percentile:

85th Percentile:

95th Percentile:

10 MPH

16 MPH

21 MPH

24 MPH

12-21 MPH

84

68.3%

0

0.0%

16 MPH

10 MPH Pace Speed:

Number in Pace:

Percent in Pace:

Number of Vehicles > 55 MPH:

Percent of Vehicles > 55 MPH:

Mean Speed(Average):



Traffic Collision History Report

4/28/2011
Page 1Location: Second Street / 'C' Street
Date Range Reported: 1/1/2008 - 12/31/2010

Report No.	Date	Time	Dist.	Dir.	Type of Collision	Motor Veh. Involved With	Direct of Travel 1	Movement Prec. Coll. 1	Direct of Travel 2	Movement Prec. Coll. 2	PCF	Inj.	Kill
3T10-743	11/05/10	15:59	0	In Int.	Broadside	Other Motor Vehicle	West	Proceeding Straight	North	Proceeding Straight	Auto R/W Violation	0	0

Total Number of Collisions: 1

EUREKA CITY COUNCIL
AGENDA SUMMARY

RE: RESOLUTION OF INTENT TO APPROVE CALPERS CONTRACT AMENDMENT	FOR AGENDA DATE: JUNE 7, 2011 AGENDA ITEM No.: 7	
RECOMMENDATION: 1. Approve Resolution of Intention to approve a Contract Amendment with CalPERS.		
SUMMARY: <p>The City is considering a Contract Amendment with CalPERS in FY 2011/12 whereby new fire safety employees would receive a new plan tier. The attached Resolution of Intention is required to be submitted to CalPERS by July 1 for any such amendment to be considered in FY 2011/12.</p> <p>This Resolution does not guarantee nor lock in the City to any new plan tier with PERS, because any PERS contract amendment must first be agreed to by the impacted City bargaining units. However, without this Resolution, the City will have no option to amend its contract with CalPERS during FY 2011/12 for this purpose.</p> <p>Should a new plan tier for new employees only eventually be negotiated into a Memorandum of Understanding (MOU), only then will the City be allowed to continue with the CalPERS adoption process. If during negotiation, a new plan tier is not agreed to with the effected bargaining unit, the City cannot move forward with the process, thus the Resolution of Intent will have no bearing and nothing will change.</p> <p>Attachments:</p> <p>1. Resolution of Intention</p>		
FISCAL IMPACT: None with this action.		
DEPARTMENT HEAD SIGNATURE:  _____ Gary M. Bird Personnel Director	CITY MANAGER SIGNATURE:  _____ David W. Tyson City Manager	
REVIEWED BY: City Attorney Finance	DATE: _____ _____	INITIALS: _____ _____
Council Action: Ordinance No. _____ Resolution No. _____		

RESOLUTION NO. 2010-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA
OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE CITY COUNCIL OF THE CITY OF EUREKA**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and,

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a Resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and,

WHEREAS, the following is a statement of the proposed change:

To provide a new second tier plan for local fire safety members (Section 20475: Different Level of Benefits Provided for New Employees; Section 21362: 2% (a) 50 Full Formula; and Section 20037: Three-Year Final Compensation)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka that the City of Eureka does hereby give notice of intention to approve an amendment to the contract between the City of Eureka and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 7th day of June, 2011 by the following vote:

AYES:	COUNCILMEMBERS
NOES:	COUNCILMEMBERS
ABSENT:	COUNCILMEMBERS
ABSTAIN:	COUNCILMEMBERS

Frank Jager, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

David W. Tyson, City Manager

Bill Bragg, Interim City Attorney

Exhibit



California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Eureka

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective February 27, 1967, and witnessed January 26, 1967, and as amended effective April 1, 1970, August 1, 1970, September 1, 1972, August 1, 1973, July 1, 1975, January 1, 1976, November 16, 1977, April 1, 1979, January 1, 1983, July 1, 1983, July 1, 1985, July 1, 1987, July 15, 1990, June 22, 1995, December 8, 1995 July 1, 2001, July 16, 2001, August 1, 2002 and September 1, 2008 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 14 are hereby stricken from said contract as executed effective September 1, 2008, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members and age 50 for local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after February 27, 1967 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
 - (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.
 - (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.
 - (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

- (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.
- 4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
- 5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **PERSONS COMPENSATED ON AN HOURLY BASIS;**
 - b. **PERSONS COMPENSATED ON A DAILY BASIS;**
 - c. **PERSONS COMPENSATED ON A WEEKLY BASIS; AND**
 - d. **FIREMEN AND POLICEMEN WHO REMAIN MEMBERS OF THE FIREMEN'S AND POLICEMEN'S RETIREMENT SYSTEM OF THE CITY OF EUREKA AFTER SEPTEMBER 1, 1972.**
- 6. It is agreed that an amount equal to all sums (plus interest thereon, if any) paid into the Firemen's and Policemen's Retirement System of the City of Eureka by those members transferring to the Public Employees' Retirement System on August 1, 1970, and September 1, 1972 shall be transferred to the Public Employees' Retirement Fund within 90 days after August 1, 1970 and September 1, 1972 and said contributions shall be credited to the individual membership accounts of such employees under the Public Employees' Retirement System.
- 7. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment before and not on or after August 1, 2002 shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1975, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).

8. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment on or after August 1, 2002 shall be determined in accordance with Section 21354.5 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1975, termination of Social Security, for members whose service has been included in Federal Social Security (2.7% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for local safety members for each year of credited prior service is 0% for those local safety members hired on or after April 1, 1970; 100% for those local safety members hired between August 25, 1969 and April 1, 1970 and for those local safety members who transferred to the Public Employees Retirement System on August 1, 1970 and September 1, 1972, and the percentage of final compensation to be provided for each year of credited current service is 100% and determined in accordance with Section 21362.2 of said Retirement Law (3% @ age 50 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Sections 21624, 21626 and 21628 (Post-Retirement Survivor Allowance) for local safety members only.
 - b. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - c. Section 21573 (Third Level of 1959 Survivor Benefits) for local miscellaneous members only.
 - d. Section 21572 (Increased Level of 1959 Survivor Benefits) for local safety members only.
 - e. Section 20965 (Credit for Unused Sick Leave).
 - f. Section 21389 (Second Opportunity to Elect 1959 Survivor Benefits) for local miscellaneous members only. Legislation repealed said Section effective September 27, 1979.
 - g. Section 20614, Statutes of 1978, (Reduction of Normal Member Contribution Rate). From April 1, 1979 and until July 1, 1987, the normal local miscellaneous member contribution rate shall be 5%. Legislation repealed said Section effective September 29, 1980.
 - h. Section 20690, Statutes of 1980, (To Prospectively Revoke Section 20614, Statutes of 1978) for local miscellaneous members only.

- i. Section 21536 (Local System Service Credit Included in Basic Death Benefit) for local safety members only.
 - j. Section 20903 (Two Years Additional Service Credit).
 - k. Section 21024 (Military Service Credit as Public Service).
 - l. Section 20042 (One-Year Final Compensation) for local miscellaneous members and local fire members only.
 - m. Proposed Amendment: To provide a new second tier plan for local fire safety members (Section 20475: Different Level of Benefits Provided for New Employees; Section 21362: 2% @ 50 Full Formula; and Section 20037: Three-Year Final Compensation)
11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on January 1, 1976. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
13. Public Agency shall also contribute to said Retirement System as follows:
- a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 26th day of November, 2010.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF EUREKA

BY Lori McGartland
LORI MCGARTLAND, CHIEF
EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY Virginia Bero
PRESIDING OFFICER

12-7-10
Witness Date

Attest:
Paula J. Powell
Clerk

AGENDA SUMMARY

**RE: PALCO MARSH ENHANCEMENT PROJECT
PHASE 1A GRANT FUNDING ACCEPTANCE AND
APPROPRIATION**

**FOR AGENDA DATE: MAY 17, 2011
AGENDA ITEM NO.:**

8

RECOMMENDATION:

1. Accept and appropriate \$350,000 in Environmental Enhancement and Mitigation Program (EEMP) grant funds for PALCO Marsh Enhancement Project Phase 1A
2. Accept and appropriate \$75,000 in North American Wetlands Conservation Act (NAWCA) Grant funds for PALCO Marsh Enhancement Project Phase 1A

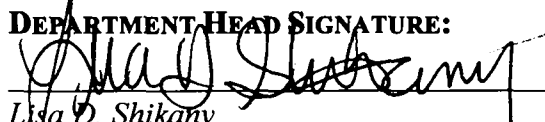
SUMMARY:

The City received \$900,000 from the State Coastal Conservancy to complete the PALCO Marsh Enhancement Project in 1989. The first phase of the project was completed in 1991 at a cost of approximately \$500,000. The remaining \$400,000, plus additional funding provided by Simpson as part of our coordinated project implementation with Simpson's upstream dioxin remediation project, was expended on revisions to the enhancement plan (subsequently entitled Phase 1A of the plan), and on completing the dredging portion of Phase 1A in 2009. The dredging project significantly exceeded our anticipated budget for a number of reasons. No funding remained to complete the remaining Phase 1A project elements which generally include installation of a replacement/upsized mid-marsh culvert, installation of landscaping along Del Norte and Felt Streets, preparation and installation of interpretive signage, invasive vegetation control, and monitoring.

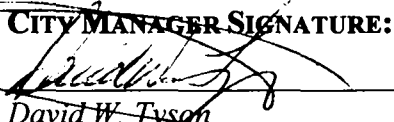
prepared by: Lisa D. Shikany

FISCAL IMPACT: Appropriate \$350,000 for the EEMP grant to account 230-47000-6212-PJ 486-EEMP and \$75,000 for the NAWCA grant to account 230-47000-6212-PJ 486-NAWCA.

DEPARTMENT HEAD SIGNATURE:


Lisa D. Shikany
Interim Director of Community Development

CITY MANAGER SIGNATURE:


David W. Tyson
City Manager

REVIEWED BY:

Assistant City Manager

DATE:

6-2-11

INITIALS:

MD

Finance Director

6-2-11

PR

Council Action:

Ordinance No. _____

Resolution No. _____

SUMMARY (continued):

With the urging and significant assistance from the Coastal Conservancy who initially funded the PALCO project, we submitted three grant applications in the hope of obtaining funding to complete the enhancement. A brief summary of these grants was presented to the Council when they were applied for in early 2010. The summary of the two grants we did receive in 2010 is again provided here:

Environmental Enhancement and Mitigation Program (EEMP): The EEMP was established by the Legislature in 1989. The EEMP, as provided by Streets and Highways Code Section 164.56, authorizes the allocation of up to \$10 million each year for grants to local, state, and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified public transportation facilities. Eligible projects must be directly or indirectly related to the environmental impact of the modification of an existing transportation facility or construction of a new transportation facility. Grants are awarded in three categories, one of which is *Resource Lands Projects* which are defined as the acquisition or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way acquired for transportation improvements. The Natural Resources Agency prescribes procedures and criteria to evaluate grant proposals and submits a list of proposals recommended for funding to the California Transportation Commission (CTC). The CTC awards grants to fund proposals from the Natural Resources Agency's list, and Caltrans administers grant agreements.

We contacted Caltrans and with their concurrence, selected the Alton Interchange Project as the related transportation facility (RTF) for our grant application. The RTF project impacted coastal wetlands; impacts were mitigated within the RTF project area. The PALCO Marsh provides mitigation over and above that provided by the RTF by enhancing coastal wetlands. Grants for individual projects are generally limited to \$350,000, which is the amount we applied for and received. We estimated project costs included in the grant application, including some staff time, at approximately \$411,000. The grant application includes funding for installation of the replacement/upsized mid-marsh culvert, landscaping along Del Norte and Felt Streets, interpretive signage, invasive vegetation control, and monitoring. While no match is required, additional points will be given to applications that include additional funding sources. We are providing a match of \$48,338 which includes a \$19,778 in-kind match of staff time for project planning and management, mowing, and disposal costs associated with the North Coast Resources Center clean-up efforts; a \$10,560 in-kind match from North Coast Resources Center volunteer efforts, and an \$18,000 cash match for monitoring from the Coastal Conservancy.

AGENDA SUMMARY**RE: OLD CARSON MILL SITE REMEDIATION
PROJECT – BID NO. 2011-10****FOR AGENDA DATE: JUNE 7, 2011****AGENDA ITEM No.:**

9

RECOMMENDATION:

1. Declare Northcoast Environmental Construction, Inc., the low bidder on the Old Carson Mill Site Remediation Project.
2. Award Bid No. 2011-10 to Northcoast Environmental Construction, Inc., for the amount of \$100,735.00 and approve \$120,000 for the cleanup contract, which includes a contingency of approximately 20%.
3. Authorize staff to execute a professional services agreement with SHN Consulting Engineers & Geologists for *Services during Construction* for a total not-to-exceed amount of \$25,000.
4. Authorize payment of project-related laboratory analytical fees to North Coast Laboratories for a total not-to-exceed amount of \$15,000.

SUMMARY:

In August 2008, the City was awarded a \$200,000 Brownfields Cleanup Grant from the U.S. Environmental Protection Agency (EPA) to excavate known contaminated soil from the Old Carson Mill Site (Halvorsen property), a 12-acre site located adjacent to the waterfront at 1535 Waterfront Drive (APN 002-241-013 and APN 002-241-015). Past industrial operations at the site include a lumber mill, furniture manufacturing, and a machine shop, and these activities caused varying levels of groundwater contamination, primarily from petroleum hydrocarbons. The City's primary goal is to prevent the migration of these contaminants into groundwater and into Humboldt Bay.

The Old Carson Mill Site Remediation Project will reduce these potential health hazards by removing contaminated soil and implementing a monitoring program, in accordance with the requirements of the California Regional Water Quality Control Board (RWQCB) (Case No. 1NHU330). The project is generally described as soil remediation and monitoring of the Old Carson Mill Site. Petroleum hydrocarbons, lead, zinc, chromium, and/or polynuclear aromatic hydrocarbons (PAHs) have been detected in soil and groundwater samples collected from the site. Soil will be excavated from four areas on the site, transported to a stockpile area east of the Samoa Bridge, sampled and profiled in accordance with the requirements of the licensed disposal facility, and transported to the licensed disposal facility.

*Continued page 2***FISCAL IMPACT:**

Expenditures: \$160,000 from Carson Mill Site Clean-up project account (Project #408), already included in the FY 2010-11 budget.

DEPARTMENT HEAD SIGNATURE:

 Kurt Gierlich
 City Engineer
CITY MANAGER SIGNATURE:

 David W. Tyson
 City Manager
REVIEWED BY:
 City Attorney
 Finance
 Redevelopment
DATE:

6-1-11

INITIALS:

PR

Council Action:

Ordinance No. _____

Resolution No. _____

**RE: OLD CARSON MILL SITE REMEDIATION
PROJECT – BID NO. 2011-10**

FOR AGENDA DATE:

AGENDA ITEM NO.:

Page 2

SUMMARY *(continued)*

On October 21, 2008, the City Council authorized execution of a Professional Services Agreement with SHN Consulting Engineers & Geologists (SHN) to provide site remediation services to assist with the site cleanup and to comply with EPA Cleanup Grant requirements. Under this Agreement, SHN prepared the Site Cleanup Plan (SCP), including the Sampling and Analysis Plan and Site Safety Plan; submitted the SCP to the EPA and the RWQCB; and responded to the RWQCB's comments on the SCP. SHN also provided assistance to the City in preparing exhibits for permit applications (Coastal Development, Grading, and Erosion Control Permits from City of Eureka; Encroachment Permit from Caltrans) and in preparing cost estimates and bid documents for selecting a contractor to perform the cleanup work.

SHN has submitted a reasonable estimate of costs for performing the following construction phase services:

- attendance at one pre-construction meeting prior to beginning site work
- oversight and documentation of excavation activities
- collection of samples from the excavated areas to confirm removal of constituents of concern
- submittal of soil samples to North Coast Laboratories, as described in the SCP
- review of analytical results and comparison with cleanup goals
- documentation of excavation locations
- preparation and submittal of the report of findings and all data to the State's Geotracker database
- review of contractor pay requests (2)
- oversight and documentation of disposal and site restoration activities

North Coast Laboratories will submit invoices directly to the City for all laboratory analytical fees. The estimated analytical fees for the minimum number of samples (24) at various turn-around-times (TAT) are as follows:

- Regular TAT (10 Working Days): \$ 8,900
- Five-day TAT: \$ 12,200
- Rush TAT (24-48 Hours): \$ 18,800

The Old Carson Mill Site Remediation Project was advertised on August 1, 2010, and bids were opened on August 26, 2010. Five bids were received, and Beacom Construction was the low bidder. Staff reviewed and evaluated the bids, and, after discussions with EPA representatives, staff determined that the bid documents were not in complete conformance with the terms and conditions of the Cooperative Agreement with EPA. Therefore, Council rejected all bids for the Old Carson Mill Site Remediation Project, Bid Number 2011-04, and staff corrected errors and re-advertised the bid documents.

The Old Carson Mill Site Remediation Project was re-advertised on March 27, 2011, and bids were opened on May 24, 2011. Eight bids were received, and Northcoast Environmental Construction, Inc., was the low bidder. Staff reviewed and evaluated the bids and determined the low bid to be in conformance with project requirements. Based on the results of the bid evaluation, staff recommends that Council declare Northcoast Environmental Construction, Inc., the low bidder on the Old Carson Mill Site Remediation Project; award the Old Carson Mill Site Remediation Project, Bid Number 2011-10, to Northcoast Environmental Construction, Inc., for the amount of \$100,735.00; and approve \$120,000 for the cleanup contract plus contingency. Staff also recommends that Council authorize execution of a Professional Services Agreement with SHN Consulting Engineers & Geologists for construction phase services for a total not-to-exceed amount of \$25,000, and authorize payment of project-related laboratory analytical fees to North Coast Laboratories for a total not-to-exceed amount of \$15,000.



EUREKA CITY COUNCIL
AGENDA SUMMARY

RE: Wastewater Facilities Plan – Phase 3

For Agenda Date: June 7, 2011

Agenda Item No.: 10

RECOMMENDATION:

Council authorize the transfer of \$245,000 of wastewater funds currently assigned to the Wastewater Facilities Plan Phase 2 project into the Phase 3 project, and authorize staff to execute a new contract with Brown and Caldwell Consulting Engineers for Phase 3 of the Wastewater Facilities Plan in an amount not to exceed \$245,000.

SUMMARY OF THE ISSUE:

In 2006 the City initiated an update of the Wastewater Facilities Plan, and Council approved a Consultant Services Agreement with the team of SHN and Brown and Caldwell Engineers for the work. Phase 1 of the Facilities Plan work involved hydraulic modeling, hydrologic evaluation, and capacity assessment of the City's wastewater collection system, condition assessment of the City's wastewater pump stations and lift stations, and an overall condition assessment of the Elk River Wastewater Treatment facility.

Phase 2 of the Facilities Plan work involved a detailed capacity assessment of the Elk River Wastewater Treatment facility to develop near-term and long-term planning strategies. The work included identifying current regulatory planning criteria, hydraulic modeling of flows through the treatment facility, regulatory discharge requirements, treatment capacity re-rating maximization, solids processing and management evaluation, a solids thickening analysis and preliminary design report, and ammonia toxicity evaluation. The work also included preparation and submittal of the NPDES permit renewal application, making a presentation to City Council to summarize the work completed, and facilitating the City-HCSD Wastewater Agreement update negotiation process.

Prepared by Kurt Gierlich

Continued on Page 2

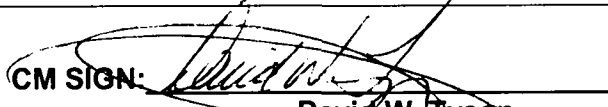
FISCAL IMPACT:

Expenditures: Transfer \$245,000 of Wastewater Funds from the Phase 2 Wastewater Facilities Plan, account 512-47000-7512-PJ396-512 into the Phase 3 project, account 512-47000-7527-PJ502-512.

CE SIGN:


Kurt E. Gierlich
City Engineer

CM SIGN:


David W. Tyson,
City Manager

REVIEWED BY:

City Attorney
Finance
Public Works

DATE:

6-1-11
6/2/11

INITIALS:

PR
Bay

COUNCIL ACTION:

Ordinance No. _____

Resolution No. _____

SUMMARY *(continued)*

A major component of the Phase 2 work, the Effluent Discharge Study, was not completed and is being transferred into the Phase 3 work for completion this summer. The Effluent Discharge Study was a new requirement written into the NPDES permit issued in July, 2009. Brown and Caldwell prepared the required work plan for the Effluent Discharge Study and submitted it to the State Regional Water Quality Control Board (RWQCB) for review and approval by the December 1, 2009 deadline. Work on the Effluent Discharge Study could not proceed until the Board approved the work plan. However, the Board did not approve the work plan until earlier this year, more than one year after submittal of the work plan. In accordance with the terms of the Phase 2 agreement, delays of more than one year are subject to renegotiation of the contract. Staff determined developing a new work plan is appropriate, and the previously unfinished work can simply be transferred into the new work plan. The new work plan has been developed using the most current information, and includes an update of several other work items whose original scopes have changed over time.

The Phase 3 work will include three main components: 1) completion of the Effluent Discharge Study work and Final Report required by the RWQCB; 2) investigating alternative analysis strategies for the long term operation of the digesters in addition to the solids thickening alternative previously investigated; 3) assisting staff with developing and implementing an Inflow and Infiltration Capital Improvement Program. All Phase 3 work was listed in the capital improvement project list used in developing the new wastewater rates, and is being financed by wastewater bonds.

Staff is recommending Council authorize the transfer of \$245,000 of wastewater funds currently assigned to the Wastewater Facilities Plan Phase 2 project into the Phase 3 project, and authorize staff to execute a new contract with Brown and Caldwell Consulting Engineers for Phase 3 of the Wastewater Facilities Plan in an amount not to exceed \$245,000.

SUPPLEMENTARY ATTACHMENT: HISTORICAL INFORMATION

HISTORY OF THE ISSUE

Wastewater Facilities Plans are documents that guide communities in the long range planning of wastewater systems. The planning horizons are generally in the range of 20-25 years and include detailed recommendations for wastewater capital improvement projects including upgrading and/or replacement projects, and maintenance activities of pipelines, pump stations, and wastewater treatment facilities. Up to date facilities plans are essential in determining the most efficient use of wastewater funds, and in meeting the State and Federal requirements for operating a wastewater system.

It's been nearly 30 years since the previous Wastewater Facilities Plan was completed in 1980. It was done as part of the eligibility requirements for the Federal Clean Water Grant Program funding to design and construct the Elk River Regional Wastewater Treatment Facility (WWTP). This resulted in the first NPDES permit for operating the WWTP. One provision of the permit was that the City was required to file written notification when the plant reached 75% of its design capacity. Therefore the City is required to keep tabs on the plant flows and loads. With continued development in the Cutten, Myrtletown, and Humboldt Hill areas over the intervening years it became time to reassess the capacities of the wastewater system, and in 2003 staff began preparing for the Facilities Plan update by initiating a flow monitoring program in the sewer collection system to begin collecting data for use in the Facilities Plan hydraulic analysis.

A BRIEF HISTORY OF WASTEWATER IN EUREKA

In 1860 Eureka's population was 615. By 1900 the population had grown to 8,000. Up until 1900 the City's wastewater treatment consisted of three pipelines that terminated in the deep water channel of Humboldt Bay. By 1910 the population had increased to 10,000 and by 1950 to 23,000. The population explosion that was initially ignited by the 1850 gold rush continued to be fueled by the lumber and fishing industries in the following years. By 1855 there were 140 lumber schooners operating out of Humboldt Bay, and 50,000 pounds of smoked salmon were being processed and shipped each year.

For the next 100 years Eureka continued the use of outfall pipelines in to the deep water channel for its waste disposal until the 1950's, when three wastewater treatment facilities were constructed at the locations of the three original outfall pipelines. The 1960's brought increased wastewater discharge regulations and in 1967 the State set limits on bacteriological limits for all wastewater discharges. By 1970, the same year the Porter Cologne Act was passed, the City's aging wastewater system finally became overloaded and a building moratorium was passed.

The Porter Cologne Act was the defining document that led to the setting of strict standards for wastewater discharge, and led to the passage of the Federal Clean Water Act in 1972 which further outlined water quality goals for all cities, municipalities, and population centers. The Clean Water Act is the primary federal law in the United States governing water pollution. The 1972 Clean Water Act mandated that point sources may not discharge pollutants to surface waters without a National Pollutant Discharge Elimination System (NPDES) permit, which specified requirements for technology-based effluent limitations.

In response to the 1970 building moratorium and the Clean Water Act, the Joint Powers Authority (JPA) was formed in 1974 to distill and implement a wastewater plan, and in 1975 the Humboldt Bay Wastewater Authority (HBWA) was formed. HBWA produced a comprehensive basin plan which was approved and adopted by the State Regional Water Quality Control Board. The basin plan recommended construction of a

regional wastewater treatment facility, and in 1976 a construction contract was awarded, only to become mired in litigation which eventually killed the project. McKinleyville and Arcata then left the HBWA organization and pursued their own wastewater treatment.

Meanwhile the City was still operating with their original three 1950-era treatment plants, and in 1976 the SRWQCB issued a cease-and-desist order for all three treatment plants, forcing another building moratorium. Nothing was done until the RWQCB passed a resolution in 1979 giving the City 90 days to come up with an implementable solution. By this time only Eureka and the Humboldt Community Services District remained in HBWA, and within the 90-day time frame HBWA came up with the Greater Eureka Area Wastewater Treatment Process Alternatives Report.

This culminated with the 1980 Wastewater Management Planning Report for the Greater Eureka Area, the first modern Facilities Planning Report for the Eureka area, and the City received its first NPDES permit in 1980 for operation of the Elk River Wastewater Treatment Facility. The NPDES permit established effluent limits and discharge limitations for the WWTP, and is required to be renewed every 5 years.

The current NPDES permit requires a discharger to file a written report with the RWQCB whenever the WWTP is estimated to reach capacity within 4 years. In order to assess the capacity limitations of the wastewater system each system component needs to be evaluated.

To stay in conformance with this requirement of the NPDES permit, staff initiated an update of the Wastewater Facilities Plan in 2003 with two years of flow monitoring to determine the flow characteristics of the sewer collection and transport system, and to acquire data for use in the forthcoming facilities plan.

At the conclusion of the flow monitoring data acquisition, in November 2005 the City advertised a Request for Statements of Qualifications for preparation of a new Wastewater Facilities Plan. Interviews were conducted, and the team of Brown & Caldwell and SHN consulting engineers was selected. Recognizing that the preparation of a comprehensive facilities plan would take several years and roughly a million dollars, the City decided to break the facilities plan into phases in order to better manage the funding of the project. In March, 2006 a contract was executed with the Brown & Caldwell/SHN team for Phase 1 of the Wastewater Facilities Plan.

Phase 1 focused primarily on characterizing and assessing the condition and capacity of the wastewater collection and transport system. Hydrologic and hydraulic models were created and used to identify areas that would require expansion or improvement, and to make recommendations for capital improvement projects to serve the current and future wastewater needs of the 20 square mile Greater Eureka Area service area. Phase 1 was completed in February, 2008 at a cost of approximately \$220,000 and concluded with the publication of the Phase 1 Technical Memoranda document. The results of Phase 1 were critical in providing data to begin renegotiating a new wastewater agreement with the Humboldt Community Services District for shared use of the wastewater system.

Phase 2 was divided into Phase 2A and 2B. Phase 2A work was initiated in November, 2007 and focused primarily on the Elk River WWTP. Brown and Caldwell additionally provided a leadership role in assisting the City and HCSD through contract negotiations for creation of an updated wastewater agreement as part of their Phase 2A work. Phase 2A provided an in-depth capacity assessment of the WWTP facility with an emphasis on the improvements needed to meet the near-term needs. A major component of the Phase 2A work was to conduct the studies and analyses required for application of the NPDES permit renewal which was required to be submitted in October, 2008.

Renewal of the NPDES permit required a significant effort and included sampling and analysis of the wastewater characteristics, hydraulic profile calculations of the WWTP, toxicity testing and analysis, and an in-depth study of each of the major components of the WWTP such as the primary and secondary clarifiers, solids analysis, effluent pumping and storage, solids contact tank, Return Secondary Solids (RSS) pumping, and finally the preparation and submittal of the NPDES permit application. Phase 2A work resulted in a 5-year capital improvement plan for the WWTP. Phase 2A was completed in April, 2009 at a cost of approximately \$680,000, and concluded with the publication of the Phase 2A Technical Memoranda document and the

successful renewal of the 5-year NPDES permit issued in June, 2009. This is a major accomplishment in a time of rapidly changing regulations. Special recognition goes to Clay Yerby for his leadership role in obtaining the permit.

The focus of Phase 2B was to provide on-going assistance to develop a strategy for continued compliance with the NPDES permit, updating the effluent discharge and ebb tide model, analysis and preliminary design of a new solids thickening facility, and creating and hosting a web-based wastewater collection system analysis tool for City staff to have at our fingertips as a planning tool. The analysis and preliminary design of a new solids thickening facility was completed, but the major portion of the Phase 2B work was not completed and is being updated and transferred into a new Phase 3 project.

Anticipated future work associated with the Wastewater Facilities Plan includes additional engineering analysis and design required to upgrade various wastewater treatment plan components identified in the facilities plan over the next 5-year permit period, in preparation for the next NPDES permit renewal application which will be due in October, 2013. The scope and cost of the future work has yet to be determined.

EUREKA CITY COUNCIL
AGENDA SUMMARY

**RE: PURCHASE REPLACEMENT WASTEWATER
TREATMENT PLANT BLOWER**

FOR AGENDA DATE: JUNE 7, 2011
AGENDA ITEM NO.: //
Page 1

RECOMMENDATION:

Staff recommends Council approve the purchase of the Lamson Model 518 Multistage Centrifugal Air Blower in the amount of \$27,969.86.

SUMMARY OF THE ISSUE:

Public Works staff has identified the need for the replacement of one of the two original 100 HP blowers at the Wastewater Treatment Plant for some time. Therefore, it was included in a line item budget request for fiscal year 2010-11.

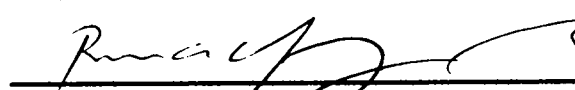
The first blower replacement project occurred in 2003 and at that time the existing 100 HP was replaced with a 50HP. The other original 100 HP standby unit is still in service as a standby unit. Due to the large power demands and expense of running this unit, it is rarely operated. However, this is a critical piece of equipment and a viable standby component if needed. One of the two blowers constantly runs every day as part of the treatment process.

(continued on next page)

FISCAL IMPACT:


\$27,969.86 expenditure of available Wastewater funds. With this action, no additional appropriation is needed.

DEPARTMENT HEAD:



Bruce A. Young
Public Works Director

CITY MANAGER:



David W. Tyson
City Manager

REVIEWED BY:

City Attorney
Finance

DATE:

6-1-11

INITIALS:

PLR

Council Action:

Ordinance No. _____

Resolution No. _____

SUMMARY OF THE ISSUE (CONTINUED):

City staff contacted Redwood Coast Energy Authority last November seeking information on possible rebates or incentives. We were provided with the necessary paperwork and in January applied for a PG&E rebate. After going through the process including an onsite inspection and evaluation by PG&E, the City of Eureka was notified on May 6th that the application had been approved. It was determined that a 40 HP blower will adequately supply our needs for most of the year relegating the 50 HP to standby status.

- Project is to replace 25 year plus original blower unit with high service hours.
- Reduces energy consumption and has an \$8,057.86 incentive amount with a savings of 79,454 kWh and 9.07 kW.
- The blower chosen had to be pre-approved by PG&E based on technical specifications.
- Both existing units are the same manufacture and staff seeks to replace in kind.
- This will help to limit spare parts and repair training.
- The sole source vendor status specified by the manufacturer based on territory or area serviced.

The replacement of this blower with the same model is an important aspect of standardization. Environmental Water Solution, Inc. is the exclusive representative of Lamson blowers in the State of California. The Lamson Model 518 Multistage Centrifugal Air Blower Assembly is only available through Environmental Water Solutions in California. This piece of equipment will replace one of the two original blowers and adequately supply Elk River Wastewater Treatment Plant's needs. Based on the guidelines outlined in Eureka Municipal Code Section 39.43 (D), Open Market Procedures (Exceptions), staff wishes to use an exception to the open market formal bid process because this product is only available through Environmental Water Solutions, Inc.

RECOMMENDATION

Staff recommends Council approve the purchase of the Lamson Model 518 Multistage Centrifugal Air Blower in the amount of \$27,969.86.

ATTACHMENTS

1. Sole Source Status Letter from Gardner Denver (Environmental Water Solutions, Inc. supplier)



April 13, 2011

Re: Sole Source Status

To whom it may concern:

Please be advised that **Environmental Water Solutions** is the exclusive representative for multistage centrifugal blowers in the Water / Wastewater Treatment market segment in the State of California for Gardner Denver, Inc. As such, Gardner Denver Hoffman and Lamson multistage centrifugal blowers, Turbotron regenerative blowers, blower accessories, parts and service are available for quotation and purchase only through Environmental Water Solutions for this market and territory.

Gardner Denver, Inc. is the sole owner and manufacturer of Lamson and Hoffman multistage centrifugal blowers and Turbotron regenerative blowers and parts for those blowers.

Orders may be place with Environmental Water Solutions or directly with Gardner Denver. Gardner Denver mailing address for orders is:

Gardner Denver
100 Gardner Park
Peachtree City, GA 30269

If you have any questions, please contact me directly.

Sincerely,

Keith E. Collins
Supervisor, Project Engineering

AGENDA SUMMARY**RE: PURCHASE ONE (1) 2012 FORD ESCAPE 4WD****FOR AGENDA DATE: JUNE 7, 2011****AGENDA ITEM NO.:**

12

RECOMMENDATION:

Approve purchase of 2012 Ford Escape 4wd by awarding the bid to Harper Motors in the amount of \$27,378.65.

SUMMARY:

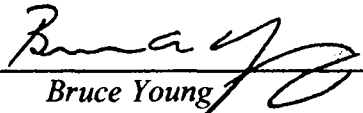
At the December 21, 2010 Council Meeting, Council approved a supplemental budget request (SBR) for additional funding for the Police Department. Contained within the SBR was funding for the purchase of a new vehicle for the Police Department.

In accordance with Municipal Code 39.42 governing Formal Contact Procedures, Requests for Proposals were sent to seven (7) prospective bidders, along with a notice in the Times Standard, inviting bids with a closing date of May 17, 2011. Two prospective bids were received by the closing date. Sealed bids were opened and read aloud as required. Staff reviewed bids and have made the following recommendations.

The bid from Harper Motors was determined to be the lowest and best responsive bidder. Staff recommends awarding the bid to Harper Motors in the amount of \$27,378.65.

FISCAL IMPACT:

The 2010-11 Police Department budget includes adequate funds for this purchase. By this action, no additional appropriations are requested.

DEPARTMENT HEAD SIGNATURE:


Bruce Young
Public Works Director

CITY MANAGER SIGNATURE:


David W. Tyson
City Manager

REVIEWED BY:**DATE:****INITIALS:**

City Attorney

Finance

Police Department

6-11

6-1-11

PLR

AZ

Council Action:

Ordinance No. _____

Resolution No. _____

AGENDA SUMMARY

RE: CENTERLINE STRIPING 2011
Bid No. 2011-16

FOR AGENDA DATE: JUNE 7, 2011

AGENDA ITEM No.:

13

RECOMMENDATION:

1. Declare Sierra Traffic Markings Inc. the low bidder for the Centerline Striping 2011 Project.
2. Award Bid No. 2011-16 to Sierra Traffic Markings Inc. for the amount of \$9,823.50, and approve a contract of \$15,000.00 for construction, allowing the City to paint additional streets in need of repainting.

SUMMARY:

On April 19, 2011 Council authorized the expenditure of \$15,000 from Gas Tax Funds to repaint a number of centerlines, edge lines and bike lanes throughout the City.

The project was advertised on May 12, 2011 and bids were opened on May 27, 2011. Three bids were received. Sierra Traffic Markings Inc. of Loomis, CA was the low bidder. Staff reviewed and evaluated the bids and determined the low bid to be in conformance with project requirements. Because the low bid was below the engineer's estimate, staff will execute a change order of up to \$5,176.50 to add additional streets to be repainted. Additional street sections will include Del Norte, McCullens and Railroad Streets.

Staff recommends that Council award construction of the Centerline Striping 2011 Bid No. 2011-16, to Sierra Traffic Markings Inc. for the amount of \$9,823.50, and approve \$15,000 for the construction contract plus additional striping, not to exceed \$15,000.

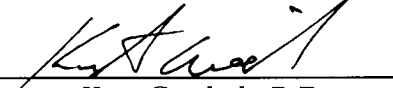
Construction of this project is expected to be completed by September 2011.

Prepared by: Scott Ellsmore, Engineering Technician *J.E.*

FISCAL IMPACT:

Expenditures: \$15,000 from fund 227-47000-7225 PJ 499-227, included in budget

DEPARTMENT HEAD SIGNATURE:


 Kurt Gierlich, P.E.
 City Engineer

CITY MANAGER SIGNATURE:


 David W. Tyson
 City Manager

REVIEWED BY:

City Attorney
 Finance
 Public Works

DATE:

6-1-11
6-1-11

INITIALS:

PR
BY

Council Action:

Ordinance No. _____

Resolution No. _____

AGENDA SUMMARY**RE: 2011-12 Fiscal Year Budget****FOR AGENDA DATE: JUNE 7, 2011****AGENDA ITEM No.:**

15

RECOMMENDATION:

1. Receive a brief report on the 2011-12 Fiscal Year Budget; and
2. Establish Budget Study Session date(s)/time to receive a detail overview of the 2011-12 Budget document.

SUMMARY:

We are pleased to submit the Proposed Budget for the 2011-12 Fiscal Year. The 2011-12 Budget includes the recommended operating programs and Capital Improvement Plan (CIP) projects.

The budget serves as the primary programming tool for the implementation of the key policy documents which have been adopted by the City Council. Although the budget helps manage the City's immediate future--tying programs and service delivery activities to policies, goals, and fiscal resources--it is important to emphasize that managing programs and fiscal resources is an on-going process not confined to the City's formal budgetary process.

The adopted operating programs are designed to maintain existing service levels during a time of great fiscal uncertainty. Because of this, prior to even considering additional funding recommendations, existing budget levels were thoroughly scrutinized and, in very few cases, base budgets have been increase slightly above Fiscal Year 2010-11 levels. On the capital side, the budget primarily consists of projects intended to maintain or rehabilitate existing City facilities, as opposed to addressing new ones.

FISCAL IMPACT:

None with the Recommended Action.

CITY MANAGER SIGNATURE:

David W. Tyson
City Manager

REVIEWED BY:**DATE:****INITIALS:**

Finance

6-2-11

PR

Council Action:

Ordinance No. _____

Resolution No. _____

SUMMARY *(continued)*

As in past years, the 2011-12 Budget is based on policies which govern the stewardship of public funds and reflect the City's commitment to balanced financial planning. While all the policies and objectives were utilized in composing the budget, there were several major principles which most influenced the shape of the financial plan. These are:

- The recommended Budget will balance Expenditures with Revenues, honestly and factually.
- Basic services will be maintained at current levels and will be adequately funded.
- Fund balances will be maintained at levels which will reasonably protect the City from future uncertainties.
- Revenues will be estimated at realistic levels.
- Program costs will be developed to reflect a true picture of the cost of operation.
- Personnel will not be laid off if at all possible.
- The recommended budget will comply with provisions of the State Constitution, City Charter, Municipal Code, and sound fiscal policy.

Such a set of budget principles stands in stark contrast to our experience with state and federal budgets, where political advantage takes precedence over sound fiscal practices. This budget follows principles that define sound fiscal practices.

In preparing their fiscal plans for the coming year, Departments were directed in the 2011-12 budget instructions to, **"tighten their belts"**, and focus their efforts on basic services, limiting any requests to only those which were necessary to deliver basic services to the community. These "flat budgets" incorporated no increases into their base budgets other than those driven by changes in Memorandum of Understandings (MOU) with the City's bargaining units and outside contracts. As departments identified other essential operating cost increases, those items were evaluated and some were incorporated into the final proposed budget. After decades now of reduced budgets, many departments find that some increases were critical to their ability to maintain services at the FY 2010-11 levels.

As discussed in greater detail in the budget document, the 2011-12 Budget reflects modest changes in expenditure levels from 2010-11 primarily due to the approval of Measure "O" in November, 2010. The total Proposed Operating Budget for the City is \$55 million for 2011-12 (a 4.9% increase from the 2010-11 adopted budget). A majority of the \$2.6 million increase in operating budgets is due to "Personnel Services" through increased costs in additional public safety personnel; health insurance and retirement rate increases. An over-all personnel "freeze" has assisted in maintaining expenditure levels within non-public safety departments.

The recommended budget is consistent with the City Council direction of keeping public safety as the number one budget priority with funding for public safety comprising over 73% or \$17.7 million of the City's General Fund budget. A range of other City services comprise the balance of the City's budget. Our budget balancing plan for FY 2011-12 continues several ongoing strategies which will contribute to the City's long-term financial stability, and options continue to be developed for bringing the budget into balance in future years.

The General Fund is the primary funding source for the delivery of essential City services, ranging from public safety to recreation. Unlike our enterprise operations - such as Water, Sewer, or Building Regulation, which are able to set fees at levels necessary to recover their costs - General Fund programs have no other source of funding available to them.

SUMMARY *(continued)*

As summarized in the Budget document very modest changes are proposed in the Budget for fiscal year 2011-12. Total General Fund appropriations are \$24.3 million for 2011-12, which represents an increase in the operating expenditure budget of approximately twelve percent (12%) or \$2.6 million from the prior fiscal year. This increase is primarily a result of the increased public safety budgets after the passage of Measure "O"; previously negotiated employee salary and benefit cost increases; general increases to cost of goods and services; and limited number of recommended serve enhancements.

General Fund recurring resources are estimated to increase by sixteen percent (16%) in the year ahead, from \$20.72 million to \$24.04 million, with the largest portion of the increase coming from the new Measure "O" funds. The Sales and Use Tax continues to be the General Fund's largest source of revenue, generating \$8.65 million in 2010-11 and is expected to increase 1.25% to \$8.75 million in Fiscal Year 2011-12. Transaction and Use Tax revenues are anticipated to total \$5.7 million in Fiscal Year 2011-12 with \$3.8 million coming from the new Supplemental Transaction and Use Tax (Measure "O"). Property Tax revenues are expected to increase by less than 1%, totaling \$1,587,500 in 2011-12. The Motor Vehicle in-lieu tax is projected at \$2.07 million, an increase of \$16,000. The Transient Occupancy Tax yield is expected to increase slightly generating \$2 million in Fiscal Year 2011-12. Revenues from franchise fees are expected to generate \$868,000 during FY 2011-12.

The estimated General Fund unreserved fund balance at June 30, 2012, is \$2.2 million, or 9.1% of the total General Fund operating budget, which is lower than the City's stated goal (*the City's stated goal is 60 days of operating expenditures; 16.7%; or approximately \$4.1 million*); but significantly higher than the adopted Fiscal Year 2010-11 Budget amount of approximately \$1.1 million.

AGENDA SUMMARY

RE: Sequoia Park Zoo Prop. 84 nature education facilities grant: "Watershed Heroes"

FOR AGENDA DATE: June 7, 2011

AGENDA ITEM NO.: 16

RECOMMENDATION: Accept "Watershed Heroes" exhibit from Sequoia Park Zoo Foundation upon completion.

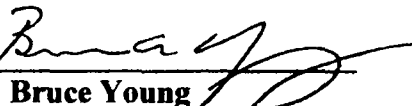
SUMMARY OF THE ISSUE:

As part of the Facility Master Plan implementation, the Zoo Foundation in collaboration with Zoo staff recently applied for and was awarded a \$2.3 million grant from the State to build three new exhibits and a water lab classroom. The project is called Watershed Heroes and will feature live and interactive river otter, salmonid and bald eagle exhibits, as well as interactive displays about the Humboldt Bay watershed.

Continued page 2

FISCAL IMPACT: Operation and maintenance of the completed exhibits will be funded through the Zoo Division's budget and is estimated to cost approximately \$8,000 per year for animal food, utilities, and equipment maintenance. However, no additional keeper staff will be needed and it is staff's belief that the operational costs will be offset by additional attendance revenues from the new exhibits.

DH SIGN:


Bruce Young
 Public Works Director

CM SIGN:


David W. Tyson
 City Manager

REVIEWED BY:

City Attorney
 Finance

DATE:

6-2-11

INITIALS:

PLR

Council Action:

Ordinance No. _____

Resolution No. _____

RE: Sequoia Park Zoo Prop. 84 nature education facilities grant: "Watershed Heroes"	FOR AGENDA DATE: June 7, 2011 AGENDA ITEM NO.: <i>Page 2</i>
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SUMMARY *(continued)*

The City of Eureka has a formal agreement with the Sequoia Park Zoo Foundation wherein the Foundation is authorized to seek funding and build capital improvement facilities at the Zoo. This agreement stipulates in Section 3.C (e) that upon completion, the Foundation donates such capital improvement projects to the City of Eureka, which accepts responsibility for operation and maintenance. Recent improvements to the Zoo achieved in this manner include the Barnyard, the Entry Pavilion, the Aviary renovation, Bill's Garden, and the Red Panda exhibit.

This grant will provide funding for Zoo improvements without requiring a local match (often 10% of total grant) from the Zoo Foundation or City, allowing the Zoo to move forward with the Facilities Master Plan. Staff feels that these exhibits will be well received by future Zoo visitors and will contribute to making the Zoo a "must see" destination.

Staff recommends Council approve the acceptance of the "Watershed Heroes" exhibit from the Sequoia Park Zoo Foundation upon completion.

AGENDA SUMMARY**RE: EARTHQUAKE DAMAGE REPAIRS****FOR AGENDA DATE: JUNE 7, 2011****AGENDA ITEM NO.:**17**RECOMMENDATION:**

Appropriate Funds for Earthquake Damage Repairs in the amount of \$1,040,574 with expected 82.5% coverage from the California Emergency Management Agency.

SUMMARY OF THE ISSUE:

On January 10, 2010, the City of Eureka experienced a magnitude 6.5 earthquake that damaged city infrastructure, including significant damage to four city buildings. Emergency repairs were accomplished in the hours and days following the earthquake to protect citizens and attempt to restore a sense of normalcy. In the following weeks more extensive assessments were done to determine the full extent of damage.

Due to the large amount of damage within the region, the California Emergency Management Agency (CalEMA) was brought in to assist with the recovery effort, including financial assistance for damage repairs.

*Continued page 2***FISCAL IMPACT:**

Final fiscal impact to individual City funds are as follows:

General Fund - \$112,393


Harbor Fund - \$196

Water Fund - \$34,390

Building Fund - \$614

Wastewater Fund - \$34,507

DH SIGN:


Bruce Young
 Public Works Director

CM SIGN:


David W. Tyson
 City Manager

REVIEWED BY:

City Attorney
 Finance

DATE:6-1-11**INITIALS:**PLR**Council Action:**

Ordinance No. _____

Resolution No. _____

SUMMARY *(continued)*

Staff worked with CalEMA representatives in developing damage reports that included the extent of damage and an estimated scope of repairs. Staff and CalEMA representatives have reached agreement on the extent of damages and estimated cost of repairs.

The damage ranges from cracking of dry wall, windows, sidewalks, street surfaces, broken water mains and storm drain culverts to significant damage to four city buildings.

At this time, it's necessary for the City to move forward with final repairs and appropriate funds for these repairs with expected reimbursement from CalEMA at 82.5% of total repair costs.

Below is a chart showing the total appropriations needed from each respective fund, the total reimbursement from Cal EMA, and the net expense to each fund.

Additionally, the City's insurance carrier will be covering some of the cost for damage repairs at the Adorni Building as it's a combination of earthquake damage and water damage, which is covered by our insurance. This should reduce the overall cost to the General Fund.

Fund	Total	State Reimbursements			Net City
		75%	10% of 75%	Total	Cost
General	642,250	481,688	48,169	529,857	112,393
Water	196,515	147,386	14,739	162,125	34,390
Wastewater	197,179	147,884	14,788	162,672	34,507
Harbor	1,121	841	84	925	196
Building	3,509	2,632	263	2,895	614
	1,040,574	780,431	78,043	858,474	182,100

AGENDA SUMMARY

RE: FEE WAIVER REQUEST – NORTH COAST
BIG BROTHERS, BIG SISTERS FUNDRAISER

FOR AGENDA DATE: JUNE 7, 2011
AGENDA ITEM No.:

18

RECOMMENDATION:

1. Deny request for a Adorni facility fee waiver from the North Coast Big Sisters Big Brothers organization as per Fee Waiver Request Policy No. 1.76.; or
2. Reinstate the Non-Profit 50% discount in place prior to the adoption of the 2010/11 Budget for this event only; or
3. Require event holders to only pay for “hard costs”, i.e. actual staff time and supplies for the event, estimated at \$225.00

SUMMARY:

Big Brothers, Big Sisters will be holding an annual fundraiser “A Taste for Kids’ Sake” this October. For the past 12 years, this event has showcased over 17 caterers and over 20 wineries and breweries. Money raised from this event goes directly to providing mentoring services to children.

The Adorni Center is used for many fundraisers and a Council policy was adopted to address requests for fee waivers. At the time the policy was adopted, the 50% discount to Non Profit Groups was available. With the adoption of the 2010/11 budget, all facility discounts were discontinued.

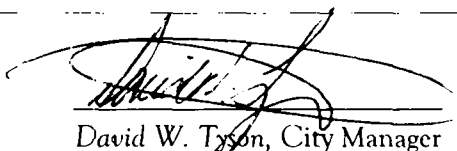
Staff is recommending denial of this fee waiver request in accordance with Council Policy 1.76 (attached)

Letter of request attached.

FISCAL IMPACT:

None with recommended action. If a complete fee waiver is approved, the fiscal impact would be \$1875.00 lost revenue to the General Fund.

CITY MANAGER SIGNATURE:



David W. Tyson, City Manager

REVIEWED BY:

City Attorney
Public Works

DATE:

INITIALS:

Council Action:

Ordinance No.

Resolution No.

From: Ouida Cooper-Rodriguez
Sent: Tuesday, April 19, 2011
To: Marian Brady
Subject: Adorni Center

Greetings Councilmember Brady,

How are you!? As you may know, each year Big Brothers Big Sisters holds its second largest fundraiser in October, "A Taste for Kids' Sake." For the past 12 years, this event has showcased over 17 caterers and over 20 wineries and breweries. Every dollar raised goes directly to providing mentoring services to children facing emotional, social, personal and academic challenges. These children are facing adversity and through mentoring, we help them have higher aspirations, greater confidence, better relationships with parents and peers, greater educational success, and avoidance of risky behaviors. Mentoring does make a difference.

For the past few years, we have held the event at the Adorni Center. It costs us approximately \$1,242 (facility fee + staff) for the 6 hour event. I am writing to you to see if we could receive a waiver for the facility rental fees of \$900.00. I am not sure if this is possible, but I wanted to investigate the possibility. Any assistance you could provide would be greatly appreciated. Thank you!

Have a wonderful day!

Respectfully,
Ouida J. Cooper-Rodriguez

***Proudly Mentoring North Coast
Youth for over 42 Years!***

Ouida J. Cooper-Rodriguez, MA
Executive Director
Big Brothers Big Sisters of the North Coast
Office: 428 C Street, Suite G
Eureka, CA 95501
www.ncbbbs.org

707.445.4871 (O)
707.445.1405 (F)

5/21/2011

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: FEE WAIVER REQUESTS

Date Adopted: August 6, 2002

File 1.76

Revised: November 6, 2007

Number

POLICY OBJECTIVE

To establish policy on when fees will be waived or reduced for facility rental fees.

ASSIGNED RESPONSIBILITY

City Manager, Assistant City Manager, Property Manager

APPLICABILITY

Applicable to all requests made to the City requesting fee waivers or reductions.

POLICY

City facilities will be available for rental by private individuals or community groups at a cost determined by the current fee schedule adopted by council and updated annually.

Exceptions to the adopted fee schedule for City Facilities

Groups Eligible for the 50% Discounted Rate

Schools, Non-Profit Organizations, and Government Agencies

Discount Group Definitions:

1. Schools – organizations that are school agencies and organizations that support schools. The discount shall only be applicable to the City of Eureka school system and private schools operating within the City of Eureka.
2. Non-profit Service – organization whose primary purpose is to provide a charitable or philanthropic service available to the public. This discount shall not apply to organizations that do not provide services to the citizens of the City of Eureka.
3. Government Agencies – Federal, State, County, Municipal and services district organizations. This discount shall not apply to employee organizations or activities.

Reciprocity:

Notwithstanding the above, agencies that provide building facilities to the City of Eureka free of charge or at a reduced rate shall be allowed to use City building free of charge or at an equivalent rate to that charged to the City, not to exceed the Base Rental Rate established by the adopted fee schedule.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: FEE WAIVER REQUESTS

Date Adopted: August 6, 2002

File 1.76

Revised: November 6, 2007

Number

Events eligible for fee waiver:

The City recognizes that certain events, which benefit the community and are open to the general public free of charge, *i.e. Veteran's Day Program*, do not generate revenue and should be eligible as a special event without a facility charge. Event organizers must request the waiver from the City Manager in written form on the organization's letterhead. Letters shall be addressed to the City Manager who will determine if the organization meets the requirements of the fee waiver policy.

Staff will provide City Council with a list of fees waived and cost to the City on an annual basis during the budget process.

Facilities not available for fee reduction or waiver:

Per City of Eureka Resolution No. 99-57, the Wharfinger building is not eligible for fee waivers or fee reductions.

Event date: 10/7/11?

Event: ~~NOBBOS~~ "Taste for Kids' Sake"

Contact Person:

	Hours needed	Total
Gym use:	10am-10 ³⁰ pm = 12.5	1,302.50
	Hours needed	Total
Kitchen Use:	3-8 ³⁰ pm = 5.5	232.50
	Staff + Hours needed+ \$/hour	Total
Staff Fees:	3 x 4 x 8.82/hr.	105.84
	Staff + Hours needed+ \$/hour	Total
Custodian:	1 x 4 x 25.46/hr.	101.84
	Staff + Hours needed+ \$/hour	Total
Additional Staff Fees:	1 x 1.5 x 9.73/hr.	14.60

Taping 30—
Estimated Event Total: \$1,877.28

Staff Fees: \$222.28